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Cyprus

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I. Introduction, methodology and consultation process

1. The present Report has been prepared by the Law Commissioner of Cyprus, in line with the guidance provided by the relevant Human Rights Council Resolutions, including No.5/1 and No.16/21, and Decisions, including Decision HRC17/119, in cooperation with the Ministry of Foreign Affairs acting as a coordinator among other competent Ministries and authorities, including the Anti-Discrimination Body (ADB), the National Machinery for Women's Rights (NMWR) and the Independent Authority for the Investigation of Allegations and Complaints against the Police (IAIACAP). In its preparation, the Government strove for a transparent, inclusive process and held consultations with civil society organizations to take on board their views on various issues.

2. Cyprus is working towards implementing the Sustainable Development Goals, as it believes in a holistic approach in terms of human rights. Cyprus was thus one of the first countries to conduct a national voluntary review on the implementation of *Agenda 2030* in 2017 and is now looking to working with line Ministries, local authorities and civil society, to inform, educate and implement with a view to further improve its record.

3. Cyprus, recognizing that the destruction of or damage to cultural heritage may have a detrimental and irreversible impact on the enjoyment of cultural rights, in particular the right to freely access and enjoy cultural life and cultural heritage, actively promotes the adoption of measures against the destruction and illicit trafficking of cultural heritage. At the Human Rights Council, Cyprus has successfully promoted the unanimous adoption of the Resolution «*Cultural rights and the protection of cultural heritage*» in 2016 and 2018. Moreover, during the Cyprus Chairmanship of the Committee of Ministers of the Council of Europe in 2016–17, the Council of Europe Convention on Offences Relating to Cultural Property ("the Nicosia Convention") was adopted. This Convention is the first international binding legal instrument which incorporates criminal provisions regarding perpetrators who destroy, steal or illicitly trade cultural heritage treasures.

4. The human rights framework reminds us that climate change is also about the results that emanate directly from the damage we are causing to nature. Many communities already feel the adverse effects of warming temperatures and desertification. Undoubtedly, the human rights obligations of governments do not stop at their own borders. With this in mind, the Cyprus Government has recently announced its decision to assume a leading role and coordinate efforts with countries of the region in a common effort to reverse the impact of climate change and its negative repercussions, especially in the Eastern Mediterranean.

5. Prioritizing the protection and promotion of women's rights and gender equality via the implementation of the *New National Action Plan for Gender Equality 2018-2021*, one of the key objective of which is "Empowering the Vulnerable Groups of Women". It places emphasis on overcoming obstacles faced in particular by vulnerable groups, including migrant women, refugees, asylum seekers, single-parents, LGBTIs, persons with disabilities and elderly persons.

6. Due to the continued illegal occupation of 36.2% of the territory of the Republic of Cyprus, the Government is not in a position to exercise effective control over all of its territory and thus cannot ensure the application of the Human Rights instruments to areas not under its effective control. This is a fact reflected in the *Report of the Office of the United Nations High Commissioner for Human Rights on the Question of Human Rights in Cyprus*. As a consequence, the Government is unable to ensure full realization of its policies and to apply its laws, policies and programmes concerning human rights, to those living in the occupied part of the country. It is relevant to recall that, the accession of Cyprus to the EU was subject to Protocol 10 of the *2003 Act of Accession*, according to which the application of the *acquis* "is suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control". Consequently, all information and data presented in the present Report, concern the Government-controlled areas.

7. The present Report focuses on the developments in legislation, administration, government policies and National Action Plans (NAPs), from January 2014 onwards.

Reference is made to the recommendations that emanated during the second cycle session of UPR (A/HRC/26/14).

Improvement of the normative and structural framework for protection of human rights¹

8. Cyprus has ratified or is in the process of ratifying the following instruments:
 - The Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (ratified in 2017).
 - The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence² (Istanbul Convention) (ratified in 2017). In view of the Government's sustained efforts to promote and protect women's rights, bills are being promoted on criminalising harassment and stalking, as well as all forms of violence against women.
 - A bill to pave the way for the ratification of the 1954 Convention on the Reduction of Statelessness is pending before the House of Representatives.
 - Steps have been taken to ratify the 1961 Convention of the Reduction of Statelessness.³
 - The Agreement on the Status and Functions of the International Commission on Missing Persons (ratified in May 2018). Cyprus is one of the founding members of this Organization working on the humanitarian issue of missing persons.
 - The Convention on the International Protection of Adults (ratified in June 2018).
 - The Charter on inclusion of Persons with Disabilities in Humanitarian Action (ratified in October 2018).

Regarding other recommendations

- Cyprus has not signed the International Convention on the Rights of All Migrant Workers and Members of Their Families, as its provisions fall within EU competence and Member States cannot accede unilaterally. Cyprus has transposed the relevant EU acquis fostering the rights of migrants and their families into its domestic law.⁴
 - The ratification of the ILO Domestic Workers Convention (No. 189) is⁵ under examination, although most of its provisions are covered by the EU acquis and are, therefore, largely met by domestic legislation and practise.
 - Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) is currently under consideration by all competent authorities.⁶
 - Cyprus is in the process of signing the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁷ Different Ministries/Services are involved and the assessment of the need for legislative provisions to successfully implement the Optional Protocol has not yet been finalized.
9. The following domestic legislative framework was adopted:⁸
 - The Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography Law of 2014, [L.91(I)/2014]
 - The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Ratification) Law of 2014, [L. 21(III)/2014]
 - The Prevention and Combating of Human Trafficking and Exploitation of Human Beings and the Protection of Victims Law of 2014, [L.60(I)/2014]

- The Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure (Ratification) Law of 2017, [L.13(III)/2017]
- The Council of Europe Convention on the Prevention and Combating of Violence Against Women and Domestic Violence (Ratification) Law of 2017, [L.14(III)/2017]⁹
- The Refugees (Amendment) Law of 2017, [L.112(I)/2007]

II. Protecting vulnerable groups¹⁰

A. Women

10. Measures to further strengthen the NMWR are under consideration, while its budget has increased by almost 30% towards promoting gender equality programmes at the national level. Furthermore, work is underway to enhance the Commissioner for Gender Equality's legal status in order to allow for more effective implementation of horizontal policy on gender equality.¹¹

11. The new National Action Plan for Gender Equality 2018-2021 (Objective "Empowering the Vulnerable Groups of Women") is a cornerstone of policy, which takes into account the various obstacles, difficulties and challenges faced by vulnerable groups of women, including migrant women, refugees, asylum seekers, single-parents, LGBTI, persons with disabilities and elderly persons. This Action Plan includes, (but is not limited to), access to free and/or affordable legal services for these vulnerable groups, training programmes specifically designed for Government bodies/officers dealing with these groups, cultivation of a climate of acceptance within schools, operating the state shelter for female victims of sexual exploitation and establishing a Government-funded NGO-operated shelter for victims of human trafficking.

12. The Government further provides financial assistance and subsidizes Social Care Programmes, run by NGOs and local authorities, to assist vulnerable groups, including women.

Women and health¹²

13. The Ministry of Health (MOH) provides services/consultation for women of all ages and special programmes for pregnant women. These include anti-smoking programmes, lectures on AIDS and other STDs in combination with reproductive issues, including contraception and human papilloma virus (HPV) vaccination.

14. The National AIDS programme aims to curb transmission and also address the social and personal issues arising from HIV infection. In this context, all pregnant women, including in rural areas, are offered testing and counselling for HIV and all seropositive pregnant women and their new-borns are provided free regimens. The treatment is based on the European HIV/AIDS Guidelines.

15. Women aged over 63 with limited ability to travel and/or mobility problems, receive nursing care at home. Their diet is supervised by a clinical Dietician or doctor and they have access to free medical care.

Combating gender discrimination in education¹³

16. The New Curricula of the public education system aim to combat gender stereotypes from an early age, by addressing inter-personal relations; introducing family planning and sexual/reproductive health in the classroom; promoting diversity and confronting prejudice; and systematically working against stereotypes, social exclusion and racism. Teacher-training has also been enhanced, including via in-school programmes and participation in EU and Council of Europe pilot projects on human rights, and within that in dealing with controversial issues at school and beyond.¹⁴

17. The Ministry of Education and Culture (MOEC), through the Action Plan of the Interdepartmental Committee for Gender Equality in Education (2018–2020) promotes gender equality in the educational system and provides in-service training to teachers, while the Pedagogical Institute is actively providing information on promoting equal opportunities and gender mainstreaming in education.¹⁵

18. Furthermore, in cooperation with the Cyprus Radio, Television Authority (CRTA), the MOEC offers workshops to primary school children on raising awareness with the ultimate aim of combating stereotypical representation of individuals and/or groups in the media.

19. For the academic year 2015–2016, 73.8% of participants at the Adult Education Centres are women. These Centres provide free and easily accessible courses on a wide-variety of subjects, providing life-long learning skills.

Combating gender discrimination in employment¹⁶

20. Combating discrimination in employment and guaranteeing equal access to employment, on a non-discriminatory basis, remains a priority.

21. Various actions and measures have been undertaken to close the gender pay gap, involving interventions in every relevant field, including certifying businesses with the “best practise” and “equality employer” certificate. The gap decreased significantly since 2007 (22%), reaching 13.9% in 2016, despite the economic crisis and having to implement a strict economic adjustment programme during 2013–2016. Since most of the measures are ongoing or expected to have a long-term effect, the downward trend of the gender pay gap in Cyprus is expected to continue.

22. Further amendments (2017 and 2018) to the *Maternity Protection Law*¹⁷ have extended the protection afforded to pregnant women, providing surrogate mothers with 14 weeks of maternity leave and extending the prohibition of dismissal of the mother from 3 to 5 months after the end of her maternity leave, respectively. Employers must provide all necessary conveniences for breastfeeding. Penalties for offenses have also been increased.

23. In 2017, the Protection of Paternity Law (L. 117(I)/2017) was introduced, entitling working-fathers to two consecutive weeks of paid leave during the first 16 weeks from the week of the birth/adoption of a child. The Parental Leave and Leave on Ground of Force Majeure Law [47(I)/2012], entitles parents, irrespective of sex, to 18 weeks of unpaid parental leave, or 23 weeks in the case of widowed parents.

24. As concerns women in the military, the *National Guard Law* was amended in 2016 to allow women to be recruited as contract soldiers. The legislation as regards non-commissioned officers is gender blind.

Combating domestic violence¹⁸

25. The main objectives of the 2017-2019 National Action Plan (NAP) for the Prevention and Combating of Violence in the Family focuses on preventing domestic violence, training professionals, ensuring effective enforcement of legislation and enhancing the protection of victims and the support services they are offered.¹⁹ In creating this NAP serious consideration was given to the recommendations of the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), international NGO research and the provisions of the Istanbul Convention.

26. Recognizing the seriousness of domestic violence and the need to take further measures to tackle it, the MLWSI signed in December 2017 a Protocol of Cooperation with the Association for the Prevention and Handling of Violence in the Family aiming at better and more efficient coordination between all competent services, on the basis of good practices in the field. The obligations and the actions that need to be undertaken by each party are clearly stated in the Protocol.

27. A series of measures including awareness-raising, systematic training of professionals involved in handling cases of domestic violence is actively undertaken.²⁰ One such example is a tailor-made Project, run by the Police together with NGOs, aimed at

preventing and combating violence against women through awareness-raising campaigns on gender issues.

28. A bill, based on the Istanbul Convention, criminalizing harassment and stalking, is currently pending before Parliament. Another comprehensive bill aiming to fully implement the provisions of the Istanbul Convention into domestic legislation which, inter alia, criminalises all forms of violence against women, has also been prepared.

29. The Third National Action Plan on Gender Equality (NAPGE) 2018-2021 provides for the mobilization of NGOs in relation to the prevention and handling of violence in the family, building on previous cooperation with such NGOs in running shelters, where women can stay temporarily with their children,²¹ operating the crisis centre and other essential programmes.

30. In its continued efforts to raise sensitivity and awareness among Police Officers, a Protocol on Risk Assessment of Intimate Partners Violence has been implemented since January 2018. Within this framework, relevant lectures are included in the numerous programmes offered to Police Constables.

Women and the peace process²²

31. Cyprus recognizes the indispensable role of women in conflict-resolution, post-conflict rehabilitation, reconciliation, and sustainable peace. Peace processes which lack the participation of women also lack credibility, while reconciliation is simply incomplete if it does not address violence against women in conflict.

32. Gender issues have gained greater prominence in the latest round of the Cyprus peace process through the examination of specific post-reunification constitutional provision, including the participation of women in political life. The UNSG himself has acknowledged "the concrete steps undertaken to foster the participation of women in the [Cyprus] negotiations".

33. Further, a bi-communal Technical Committee on Gender Equality was established with the overall objective of contributing to the implementation of UNSCR 1325 and subsequent relevant resolutions by facilitating the solution of day to day problems arising from the current status quo, and advising the formal peace process in respect of gender issues. To this end, the members of the Committee have participated in track I meetings, discussing its views and submitting its suggestions to the chief negotiators, including on constitutional and other provisions that could be adopted as part of the comprehensive settlement of the Cyprus problem.

34. Cypriot women have traditionally been the ones to initiate marches and civil society movements in support of peace, taking the lead in conciliatory action across the divide.

35. Cyprus is currently in the process of preparing the first National Action Plan on Women, Peace and Security. More specifically, the Commissioner for Gender Equality has undertaken, in close co-operation with civil society and an external expert, the drafting of the Action Plan on the implementation of the UN Security Council Resolution 1325 (2000), covering the period 2018-2021, which will ensure the full implementation of the Women, Peace and Security Agenda.

B. Migrants, refugees, asylum seekers and people in need of international protection²³

36. The principle of non-refoulement has long been part of Cyprus law, whereby foreign nationals may not be refused entry or expelled if they risk persecution. There is an absolute prohibition on enforcing a refusal of entry or expulsion order if there are reasonable grounds for assuming that the foreign national concerned would be in danger of suffering capital or corporal punishment, torture or other inhumane or degrading treatment. A decision to refuse entry to or expel a foreign national may be appealed to a court of law.

37. Cyprus has ratified all international and European legal instruments for combating racism, xenophobia, violence, religious intolerance and hate speech.

38. Cyprus, via projects implemented by local authorities and/or NGOs under the Asylum Migration and Integration Fund (AMIF) National Program 2014-2020, is promoting the smooth integration of migrants into the Cypriot society (see Annex I).

Asylum seekers/beneficiaries of international protection²⁴

39. A screening procedure to identify vulnerable persons from the early stages of the asylum application process was introduced according to the EU acquis. Priority is given to the examination of this category of applicants, in the presence of a psychologist and/or social worker if necessary or requested. A special reception centre for vulnerable persons will soon begin its operation, in an urban environment, close to services and health facilities.²⁵

40. Pursuant to the *Refugees Law of 2000, [6(I)/2000, as amended]*, the detention of a minor who has applied for asylum is prohibited.

Accommodation

41. A person who applies for asylum (even if he/she entered the Republic in an irregular manner), is entitled to the rights provided by the Refugee Law, including housing.

42. The Kofinou Reception and Accommodation Centre for Applicants for International Protection grants accommodation and means of subsistence to those who cannot find housing.²⁶

43. The coordination mechanism at the Reception Centre (composed of officials from all competent Government Services, UNHCR officers and local volunteers) aims at dealing with all issues directly and effectively.

44. All applicants have free access to healthcare, including mental care.²⁷

Financial and material assistance/employment

45. Applicants of international protection can be employed in a number of sectors but, since asylum applications are examined within a maximum period of six months, applicants do not remain in these sectors for an extensive period. Once a person is granted refugee or subsidiary protection status, they automatically gain unlimited access to the labour market, with personalized support and access to the guaranteed minimum income benefit.²⁸

Examination procedure/legal assistance

46. A person whose asylum application is pending examination at first or second instance, is protected from *refoulement* and has access to all rights provided by the Refugees Law. Asylum seekers maintain the right to remain in Cyprus until a decision by the Court is issued and no steps for deportation are initiated prior to that decision, according to the 2016 amendment of the Refugees Law, transposing a recast of the Procedures Directive (32/2013/EU).

47. An applicant has the right to free legal aid before the Administrative Court during the second instance examination of the asylum claim. However, there are co-funded projects providing free legal assistance even at first-instance.

48. In case a person in detention and pending deportation applies for asylum, the claim will be examined as a priority.²⁹

High pressures deriving from the high numbers of asylum seekers³⁰

49. There has been a sharp increase in applications for international protection. According to Eurostat, the highest rate per capita of registered first-time applicants during the first quarter 2018 in the EU was recorded in Cyprus (1551 first-time applicants per million population), followed by Greece (1204), Malta (856) and Luxembourg (753).

50. The Asylum Service has employed additional caseworkers to reduce the backlog and make headway in examining all cases. To face increasing pressure it will be increasing staff numbers further, also within the framework of the EASO Special Support Plan to Cyprus.

However, there is no indication that the numbers of new applications and/or arrivals of boats from Turkey will be reduced. On the contrary, it can be expected that the increasing trend will continue.³¹

*Combating racial discrimination in education*³²

51. The MOEC is working on ensuring that the educational needs of non-Cypriot children are met, while Adult Education Centres provide free Greek-language lessons in the afternoons. It is also implementing a Code of Conduct against Racism and a Guide for Managing and Reporting Racist Incidents and through the Pedagogical Institute is actively supporting teachers and schools with implementing this policy³³.

Migrant workers³⁴

52. Cyprus is in full compliance with the EU acquis regarding the rights of non-eu national workers. The fundamental rights of migrant workers, whatever their situation regarding their right of residence, are protected by Cyprus law.

Complaints mechanism

53. Especially for domestic workers and labourers, a special mechanism for resolving complaints has been established.

54. If the employment contract has been violated, penalties are imposed on the employer to deter repetition of such violations. In addition, the foreign worker is provided with a new employment permit. This procedure is of course additional to the legal right of any employee to proceed to the Labour Disputes Court.

55. In cases of suspected domestic violence, the professional examining the complaint has the duty to immediately inform the Police. The competent authorities are immediately notified in case of trafficking incidents or sexual exploitation attempts, or confiscation of migrant workers' passports or travel documents.

Private employment agencies

56. The *Private Employment Agency Law* regulating the establishment and operation of private employment agencies was enacted in 2012 and amended in 2013. The offenses described in the anti-trafficking Law have been included in this Law. The Law sets the conditions and qualifications that need to be fulfilled in relation to natural or legal persons operating such agencies. The criminal record of the applicant is examined, in order to safeguard that these persons have not been convicted for offences, such as sexual exploitation, or THB, or any other serious criminal offence. The competent authority may revoke the license of such an establishment.

57. In order to enforce the provisions of the Private Employment Agency Law, 124 out of 151 agencies were inspected and 12 licenses revoked. 14 complaints were examined and 4 cases of persons involved in the illegal operation of private employment agencies and/or exploitation of workers were forwarded to the police for further investigation and prosecution. During 2017, administrative fines were imposed on 3 private employment agencies involved in fraudulent practices.

Migrant children³⁵

58. The Government takes every measure in order to serve the best interest of the child, with the purpose of family reunification within the framework of the Dublin regulation. Due to the increasing number of unaccompanied minors arriving in the Republic of Cyprus, the Government operates three state Homes for unaccompanied minors (two for girls and one for boys), while another two (for boys) are assigned for operation to an NGO. The Council of Ministers has recently approved the construction and operation of a new Reception Centre for Unaccompanied Minors with a capacity of 100, on the premises at Zygi. The Reception Centre will be operated by the Office of the IOM in Cyprus.

59. In 2017, a Foster Care Pilot Programme was co-funded under the Asylum, Migration and Integration Fund (AMIF) in order to improve the quality of foster families providing

hospitality for unaccompanied minors. It included the systematic evaluation of candidates for foster parenting as well as offering training to those who were successful after the screening.

60. Unaccompanied children or families with children are not held in detention.

61. Since 2014, adopting recommendations of the Commissioner for Children's Rights (CCR), it was decided that in case of an arrest/detention of an alien father for illegal stay/entry, the wife-mother of a child under the age of 18 is not arrested/detained. The SWS, the Aliens and Immigration Service (AIS) and the Civil Registry and Migration Department (CRMD) are notified. The CRMD determines conditions regarding their travel and the time that they must appear at the AIS. The same procedure is followed and in cases of a single mother/father.

62. Return decisions that concern a parent never include the detention of any minor.³⁶

Work and residence permits³⁷

63. Procedures regarding residence permits are currently under revision with the purpose of simplifying and clarifying the required criteria, the reasons for rejection, etc.

Contracts

64. The Government takes all the necessary steps for the improvement of the working conditions of all non-EU citizens. Terms of employment of non-EU nationals in all economic activities are identical to those provided for in collective agreements, so as to safeguard the equal treatment of all workers in Cyprus.

Domestic workers³⁸

65. The contract of employment of foreign domestic workers, specifies, inter alia, working hours, annual leave as well as paid holidays. The employer is obliged to provide accommodation, medical insurance, food, visa fees, travel ticket to Cyprus and repatriation ticket.

66. Inspectors from the Department of Labour Inspections (DLI) may carry out inspections regarding the safety and health of all workers, including domestic workers. The Inspectors investigate complaints regarding safety and health of domestic workers and investigate accidents, occupational diseases and dangerous occurrences according to the relevant legislation.

Irregular migrants³⁹

67. All persons in need (including migrants and their families and irregular migrants) have equal access to social services. Regardless of a parent's migratory status, children are entitled to basic human rights to health, education and social care.⁴⁰

C. Children⁴¹

Rights of the child

68. The objective of the Government is that children and adolescents should be respected and given scope for personal development, safety and security and also for participation and influence.

Health

69. In 2017 a "Strategy on the Health Rights of the Child", an inter-sectoral plan led by the Ministry of Health, addressing non-communicable diseases, nutrition, preventing violence, alcohol-substance- and tobacco-use, and providing for safe environment and addressing sexual and reproductive health issues, was adopted, taking on board the recommendations of the CCR and following consultation with children.

Combating sexual abuse of children⁴²

70. The Republic of Cyprus ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse in 2015. In 2014, a comprehensive national law was enacted⁴³ to implement the provisions of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention).

71. A National Strategy on the Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography was approved by Council of Ministers in March 2016 and a National Action Plan for the Prevention and Combating of Violence in the Family for the period 2017-2019 was adopted.

72. The first Children's House (base on the model of the Nordic Barnahus) in Cyprus began operating in September 2017, in accordance with the National Strategy, to provide support for children victims of sexual abuse and/or exploitation and their families during the investigation procedure, but, also, the healing process by specially trained psychologists who collaborate with specially trained police investigators.

73. Since January 2017, a central police unit has been investigating all child sexual abuse allegations aiming at ensuring the best possible protection to child victims. It now partners with the Children's House. Emphasis has been given in police training courses for interviewing children and vulnerable witnesses.

74. The MOEC, recognizing its responsibility in the field of primary prevention, has established the Coordinating Committee for the Prevention and Combating of Sexual Abuse and Exploitation of Children. The Committee coordinates all matters concerning the protection of children from sexual exploitation, sexual abuse and child pornography. The MOEC's Action Plan provides for compulsory trainings for teachers at all levels, involved in matters of sexual education, aiming at empowering them to implement the curriculum of Health Education. During the school year 2017-2018, a series of seminars on "Recognizing and Reporting Incidents of Sexual Abuse" were organized.

Education

75. Cyprus ensures equal access of all children to education while attributing great importance to accepting difference, promoting tolerance and respect in its educational policy. The MOEC offers free and accessible education to all pupils without prejudice based on gender, abilities, language, colour, religion, political beliefs or ethnic background.

76. Through its 2018-2020 Strategic Plan, the MOEC aims to increase access to quality education and provide opportunities for all students to succeed in their learning. Early detection of learning difficulties or behavioural issues is also a key priority, with Educational Psychologists assisting pupils and supporting teachers.

Rights of children with disabilities in education⁴⁴

77. The inclusion of children with disabilities, in line with current international instruments, is a matter of priority for the Government. *The Education and Training of Children with Special Needs Law of 1999 [113(I)/1999]*, as amended provides the legislative framework which regulates the identification, assessment, development and individualized educational programme and on-going evaluation of children with disabilities. The MOEC promotes the inclusion of children with disabilities in mainstream classrooms and the vast majority of children with disabilities are educated in this way at their local school.

78. Special emphasis is given to ensuring curriculum access to children with disabilities, with the use of assistive technology changes to teaching and learning arrangements, classroom organisation, extra time during exams etc. Furthermore, information that would normally be provided in writing is now also in Braille or in large print for children with visual disability, whereas sign language interpreters are available for deaf children. The MOEC ensures that schools have suitable infrastructure to accommodate the needs of children with disabilities.

79. A very small percentage of children with disabilities (less than 1% of the school population) are educated in Special Classes. A small number of Special Schools operate within the boundaries of a mainstream school. These schools develop networks and joint activities to minimize segregation. Special Schools have the appropriate staff (special teachers, speech therapists, occupational therapists, psychologists, music therapists, physiotherapists, nurses and other specialists as well as auxiliary staff) in order to support and provide the essential means to meet the needs of all children. In addition to their educational programme, the special schools' programme contains a major element of self-help and independence skills, social and emotional skills development, recreational skills, communication skills and vocational training. Special Schools also have pre-vocational and vocational training programmes designed to assist the transition from school to work or from school to other vocational training. Education is also provided to children who are in hospital for a significant period of time or who, for medical or other reasons, must be educated at home.

Juvenile justice⁴⁵

80. The MJPO in co-operation with the CCR, is promoting a Bill for introducing of a criminal justice system specially designed for the needs of children in conflict with the law and the regulation of matters relating to the prevention and treatment of delinquency of children within the framework of the criminal justice system, in accordance with internationally legally binding instruments and guidelines⁴⁶. The bill establishes structures and diversion procedures.

81. The interest of the child is the primary consideration in any decision which directly or indirectly affects the child and the child participates in the taking of any decisions affecting him/her. The criminal proceedings and detention of a child is a last resort measure and can be implemented only if any other measures have been tried and failed, where's imprisonment is totally prohibited. In cases of criminal proceedings instituted against a child, the case will be tried by a special juvenile court, on the basis of the principle that detention of a child is last resort measure and alternative punishments or measures should be implemented.

82. In the field of education, the Observatory for Violence in Schools has designed a four-year National Strategy for the Prevention and Combating of Violence in Schools, based on the Convention on the Rights of the Child,⁴⁷ and recommendations of the CCR.

Children of internally displaced person⁴⁸

83. The Council of Ministers decided (Decision No.75.317, dated 19.6.2007) to recognise children of IDP mothers as displaced persons entitled to all rights the children of the IDP fathers have regarding all existing benefits (e.g. housing schemes). By the enactment of the necessary legislative amendment [L.170(I)/2013] on 27.12.2013, the children of IDP mothers can participate on an equal footing in housing schemes and in renting subsidy schemes.

D. LGBTI/transgender persons⁴⁹

84. In August 2018, Cyprus became 40th member of the Equal Rights Coalition, demonstrating Nicosia's commitment to advancing the rights of LGBTI persons and supporting initiatives promoting non-discrimination and equality.

85. New legislation is in preparation, setting a clear statutory process for correcting the registered sex of trans persons (adults and minors). This will only require a decision by the Registrar and not previous medical intervention or psychiatric reports. The consequences on the personal situation, family and other relationships of the person whose gender is redefined, will also be regulated.

86. In 2017, the *Criminal Code* was amended by Law 31(I)/2017 to include homophobic motivation as an aggravating circumstance (in addition to the racist and xenophobic motivation), with a maximum sentence of three years or a fine of 5000 euros or both.

III. Human rights and law enforcement⁸⁰

Police

87. In a constant upgrading of its policy to develop a culture of respect of human rights and human dignity, the Police proceeded to the following actions:

- "The Police Code of Ethics" was enriched with new provisions
- A Memorandum of Understanding with NGOs was signed
- Manuals and informative materials were distributed to Police members
- Conferences were organized.

88. Since September 2018, the Police has partnered with the University of Cyprus for the education of Police Recruits where one Module, out of five, focuses on Human Rights. In addition, the training courses for Police Recruits at the Police Academy have been enriched to include a new Module on Human Rights in order to advance their training. Added emphasis is also given on the self development of Police Officers.

89. The Cyprus Police Academy, periodically organizes training programmes where lectures are included on investigating racially motivated crimes and hate crimes and the rights of detained persons. Working with the Office for Combating Discrimination and NGOs, programmes have also included training on elimination of stereotypes, prejudices, and discrimination.

90. Victims of crime are informed of their rights to which they are entitled, through an informational booklet that is given to them from the first contact with the Police. The booklet is translated into six languages⁹¹, including Braille. It is accessible to the public via the website of the Police.

The rights of detained persons⁹²

91. The Government is undertaking serious efforts so that detention centres fully meet the European and international standards, with the aim of improving detention conditions and ensuring that detainees are accorded their rights and are afforded respect and dignity throughout their detention.

92. Actions taken include infrastructure improvements⁹³, including the creation of outdoor/ leisure areas, installation of TV and provisions of books. Additionally, some detention centers are accessible to people with disabilities. The Human Rights Office of the Police carries out visits to all detention centres and submits reports with recommendations for improving detention conditions. Visits by various national and international NGOs to Detention Centres are also encouraged in an effort to promote transparency.

93. Education on human rights issues is provided at all levels of police training, whereas specialized programmes are periodically organized focusing on detainees rights. Additionally, police members are also constantly informed through circular letters regarding human rights issues, including in terms of detainees.⁹⁴

94. Harmonising domestic legislation with the EU Directives has meant granting additional rights to arrested/detained persons, while also codifying the right to a lawyer in criminal proceedings and in European arrest warrant. The right to third party access, consular authorities, and interpreters is also provided for.⁹⁵

95. All rights of detained persons provided in the legislation are included in an informative booklet, a copy of which is given to every detainee without delay and can be kept throughout the detention period. The booklet is available in 19 languages.⁹⁶

96. In order to address mental health issues of detainees, the Police in cooperation with the Mental Health Services (MHS) issued procedures for handling detainees with a high suicide-risk. Additionally, in cooperation with the Ombudsperson, the Police is examining the possibility of creating specially designed room for detainees who are suicidal.

Prisons

Contact with the outside world - Visits

97. The general prison reform has included the aim of bettering facilities, and ensuring a more humane approach. This has included provisions for open visits, where glass separators have been removed. There has been a 100% increase in the number of visitors each inmate may receive in total, but also the number of people they can see at any given visit. Visiting areas have been made more child-friendly, and children of detained persons have the opportunity not only to make frequent visits, but to also enjoy quality time with their parent, including dining in, watching films together, playing games, etc. Visitors who reside abroad are given the opportunity to have lengthier visits (2-3 hours).

Escorts

98. Inmates are encouraged to participate in social and charity events, art exhibitions "outside" and increased escorts have taken place towards this end, in conjunction with the Prison Director for Family Matters based on individual need of the prisoners, including attending family celebrations (weddings), hospital visits to see family members and home leave.

Telephone calls

99. All inmates are provided with unlimited access to telephone calls on a daily basis. In many cases the Prisons Administration provides inmates with mobile devices, especially those with limited financial resources.

SKYPE communication (Voice-over-internal protocol technology)

100. Since January 2015, Cyprus is one of the very few countries internationally providing the option to foreign inmates to contact their relatives and friends through SKYPE.

Education, sports, purposeful activities for all inmates (school, vocational training, physical education, sports, purposeful activities)

101. New policies in line with European recommendations (No. R(87)3 and No. R (81) 17 on adult education policy) have been implemented. The updated/revised school programme maintains the same standards with the educational system of the country at all levels, at secondary, higher and tertiary levels and is made available to all prisoners. In the Government's efforts to support and assist this vulnerable group of people, prisoners are granted the choice to partake in education or work, while ensuring that in parallel recreational activities, including sports have been enhanced under the supervision of qualified specialists.

102. Socialisation of inmates is deemed of great value, and towards this end events are organised for inmates to partake in music concerts, art exhibitions, cinema nights, or DJ-d gatherings.

103. To bring further transparency and visibility, but also to assist prisoners on an individual level, but also to bring them closer to the outside world, they are permitted to participate in events such as Europa Donna-International Day against Breast Cancer, gay pride parade, theatrical performances, International Day against Drugs, charity events, arts and crafts exhibitions, blood donations, Cleaning Cyprus and volunteer events, among others.

104. Rehabilitation programmes are also tailored to assist inmates with mental health problems, addiction issues, including narcotics, while special programmes are also available to young offenders and women.

Nutrition/daily menus

105. Since diet and nutrition are such an integral component of well-being, the quality and quantity of the food has been improved, with special meals meeting individual needs, including health, allergies and religious needs.

Right to medical care

106. Right to medical care for prisoners is deemed all-important, and the prison reform has ensured that all prisoners have access to medical doctors (GPs, Psychiatrists) and psychologists, while there is coverage by nursing staff is located on 24-hour basis within the prison facilities, while prison officers have received up-to-date first aid training.

107. Within 24 hours of admission to the prison facilities, inmates are medically screened. In respecting inmate's rights to their privacy, prison officials are only informed of the state of health of inmates on a strictly need-to-know basis.

108. During medical examinations, medical orderlies are present only upon the request of healthcare workers. Every trimester, the Prisons management have meetings with the doctors working in the Prisons Department as well as when deemed necessary on an ad hoc basis.

Safeguarding the rights of foreign nationals who are in detention

109. 40% of the prison population is non-Cypriot. They are actively involved in all activities/ education/ health care/ work, and the principle of non-discrimination is fully respected. The manual on their rights is an essential component to ensuring they are fully informed, hence the emphasis of ensuring its availability in such a wide-variety of languages (18 and Braille), as noted beforehand.

Arrangements in place to enable prisoners to attend religious services

110. Freedom of religion is guaranteed to all prisoners, and religious representatives can visit the Prison and meet with the inmates. Furthermore, visits are also arranged for religious festivals of the Christian, Islamic and Buddhist faiths.

Financial assistance to inmates

111. Prisoners with restricted financial resources are assisted financially, while beyond mobile devices, they may be given clothing items, free tele-cards, canteen coupons, etc.

Prevention of suicide and self-harm, inter-prisoner violence

112. The prison management has made suicide prevention a priority, and in the last three years, there have been zero suicides, with one attempted suicide in 2015. Similarly, attempts to curb self-harming have led to decreasing incidents, with only one taking place in 2017.

113. Policies and procedures have been put in place to prevent inter-prisoner violence and bullying, including regular risk assessments, specialised training of prison officers to identifying vulnerable inmates, risks, mental health factors, etc.⁵⁷

Irregular migrants⁵⁸

114. The Establishment and Regulation of Premises of Irregular Immigrants Law of 2011, [83(I)/2011] and the Regulations made under this Law, grant a number of rights to detainees held at Menoyia Detention Center. These includes material conditions (adequate lighting, ventilation, air-conditioning, call-bell, access to water and food, provision of personal hygiene products, etc), facilitation of communication and visits with relatives, friends, lawyers, NGOs, Ombudsperson, UNHCR, etc, telephone and mail communication, adequate nutrition, access to lawyers and doctors, interpretation, as well as access to outdoor exercise.

115. The past practice of locking detainees in cells during sleeping hours was terminated. The cells are now open all days and at all hours. To further improve detention conditions,

the facilities were repainted, paintings were placed on walls, books/games are provided, internet and skype is offered, computers were placed in every wing and exercise equipment was installed at the outdoor area.⁵⁹

116. Menoyia Detention Centre is staffed with a doctor and a nurse on a daily basis, with a mental health nurse visit in three times per week, while a clinical psychologist goes once a week.⁶⁰ Additionally, educational programmes are offered to detainees by the MOEC (gymnastic, painting, etc). Lastly, every detainee is informed about the rights provided in the legislation (orally and in writing). An informative booklet was prepared and is available in 18 languages⁶¹.

IV. Combating trafficking in human beings⁶²

117. Cyprus has prioritised combating trafficking in human beings. As a result of enhanced and thorough investigation and meticulous evidence gathering, there have been stringent and lengthier sentences imposed in trafficking cases, for sexual and labour exploitation. International cooperation and especially through the channels of Europol and Interpol is continuing on a systematic basis.⁶³

A. Legal framework

118. The Prevention and Combating of Trafficking and Exploitation of Persons and the Protection of Victims Law of 2014, [L. 60(I)/2014] transposes all relevant EU Directives, and makes provisions for the implementation of all European and International binding legal instruments ratified by Cyprus.

119. The purpose of this Law is to prevent, suppress and combat the crime of trafficking, exploitation and abuse of persons, to protect and support the victims of such offences, to establish control mechanisms and to promote international cooperation for the implementation of the above measures.

120. It provides for the protection and promotion of the rights of victims without any discrimination and access to compensation, including special provisions for the support and protection of child victims of trafficking, including in the context of criminal investigations.

121. It also provides for prevention and intervention programmes and for new administrative structures, including the Multidisciplinary Coordinating Group to combat Trafficking in Human Beings (THB). Supplementary legislation ensures sanctioning employers who illegally employ undocumented migrants, providing witness protection to victims of trafficking, including at trial, as well as ensuring that legal counsel, assistance and representation is provided for free to victims.

B. Strategic framework

Multidisciplinary Coordinating Group against Trafficking in Human Beings (MCG)

122. This Group formulates policy, coordinates and ensures implementation of specific actions, comprising all relevant government Services as well as four NGOs.

National Action Plan against Human Trafficking 2016-2018 (NAP)

123. The 2016–2018 Action Plan was devised taking into account the lessons-learned from the previous 2013–2015 Plan, the proposals of members of the Multidisciplinary Coordinating Group, and the provisions of Directive 2011/36/EU and of the European Strategy against Trafficking in Human Beings 2012-2016. It has also included the recommendations of GRETA (the Council of Europe Committee of Experts) and the US State Department Report (TIP Report 2016). Amending legislation, providing support for victims with special emphasis on safe accommodation, training of frontline officers, judges, as well as increased cooperation between Government agencies and NGOs are the pillars of the current Plan.

National Referral Mechanism (NRM) – Guide for handling victims of trafficking

124. The NRM was drafted by the MCG and adopted in May 2016. It defines the cooperation framework between the relevant Services and between the relevant Services and NGOs, in order to ensure the access of victims to their rights and to create a protective framework. If a person or Service believes or has reasonable suspicion that any person may be a victim of trafficking, the potential victim is referred to the Social Welfare Services (SWS), who then provide necessary information and notify the Police anti-trafficking unit, who is responsible for the official identification of trafficking victims.⁶⁴

C. Measures to address human trafficking and protection of victims

125. In addition to the legal framework, the Government undertook a number of practical and action-oriented measures, supporting and protecting victims as well as implementing prevention measures.

126. In particular, the Office of Combating THB is the specialized investigation unit within the Cyprus Police for investigating cases of THB. Among the duties of the Office is to investigate all serious cases of THB, the identification of the victims, the assistance and guidance of other Police Departments related to issues of trafficking and exploitation. The role and competences of the Office have been expanded since March 2015. Specialized investigators joint existent staff and undertake tasks within an upgraded framework. The empowerment of the Office aimed at the qualitative, proper and in depth investigation of trafficking cases by the Police, as well as the improvement of the operational aspects of the Police's actions.

1. Support and protection of victims

127. Victims are entitled to psycho-social services, health care, translation and interpretation services, education, vocational training and financial assistance. Victims are provided information concerning their rights and access to services and the necessary support (e.g. government shelter, etc.). Also an evaluation assessment is performed to identify their needs in order to refer them to the appropriate government agencies and NGOs for assistance.

128. The government has adequately trained staff to provide support to victims of trafficking. Victims are referred to the MOH for mental and psychological assessment and the MLWSI for employment services, etc. Specifically, in 2017, 68 victims (37 women and 31 men) having been informed of their rights, were referred for medical care and treatment, registered as unemployed and for seeking assistance in finding employment, as well as to NGOs for housing and other support services.

129. The SWS operate a specialized shelter for victims of trafficking available to accommodate only women victims of sexual exploitation. In case a victim does not wish to stay in the shelter, financial and other support (housing provided by NGOs) is provided for as long as required. The government provides a rent subsidy and a monthly allowance for female sex trafficking victims who choose not to stay in the shelter, as well as to female labour trafficking victims and all male victims. Also, trafficking victims have the right to apply for the Guaranteed Minimum Income (GMI), Benefit which aims to ensure a socially acceptable minimum standard of living for persons (and families) legally residing in the Republic of Cyprus whose income and other economic resources are insufficient to meet their basic and special needs. All victims of trafficking and/or sexual exploitation, who are non-EU citizens, have free access to employment during the period of the judicial examination of their case. Victims who wish to work can visit the Public Employment Services where they are provided with support in finding employment by a suitably trained and qualified Employment Counsellor, through a personalized approach. In cases of child victims, decisions are taken in the best interest of the child in cooperation with all government Services and NGOs.

130. Protection and support to victims is also given during the trial process, including psychological support. Victims of trafficking are considered witnesses who are entitled to

protection measures according to the *Protection of Witnesses Law*. 'The citizen's line' has been established where people may refer in order to provide information, make a complaint or ask for assistance. When the information concerns trafficking, it will be referred to the competent Police Anti-trafficking Unit, or if a victim calls, they will be assisted following the National Referral Mechanism. The relevant authorities are in the process of establishing an Anti-Trafficking line.

2. Prevention measures

131. Training of professionals is very important in the fight against trafficking in human beings in a proactive manner. In 2017 over 200 police officers (incl. border guards), immigration officers, social welfare officers, health officers, asylum officers, municipalities, labour inspectors, were trained. Special training on prevention was also provided to civil wedding officers in municipalities, due to high prevalence of human trafficking for the purpose of sham marriages.

132. Lectures on trafficking issues, evolving trends, dealing with potential victims, identification techniques and handling of victims are included in numerous programmes offered by the Cyprus Police Academy.

133. Training and workshops are provided for all governmental Services, with special emphasis on teachers.

134. Within the framework of the NAP against Trafficking 2016-2018, a protocol of cooperation between the SWS and an NGO was signed, aiming to enhance the coordination, cooperation and collaboration between the government and the NGOs, in the provision of protection and support of victims of trafficking, including their access to information, housing, employment and social integration. A Protocol of Cooperation was also signed between the Cyprus Police and twelve NGOs for the protection and promotion of human rights, which also covers issues of trafficking in human beings.⁶⁵

V. Independent role of the ombudsperson⁶⁶

135. Guarantees of Independence are provided by the legislation so that the Ombudsperson, (Commissioner for Administration) both as a person and as an Institution, avoids conflict of interest and fulfils his/her mandate in an independent, impartial and effective way, without interferences of any kind.⁶⁷

136. With the *Commissioner for Administration (Amendment) Law of 2011*, [L. 158(I)/2011], the institution of the Commissioner for Administration was renamed to Commissioner for Administration and Human Rights and it was provided with broad functions of protecting, promoting and guaranteeing human rights as a National Human Rights Institution, in line with the Paris Principles. It has been accredited as a National Human Rights Institution with B status, under the Paris Principles, in November 2015.⁶⁸ Gradual steps for improvements are under consideration in order to meet criteria for upgrading to a status.

137. Furthermore, in 2014, the Commissioner of Administration Law of 1991 was amended with the aim to strengthen the role of the Ombudsperson. This amendment introduced provisions that strengthen the ability of the Commissioner to promote the implementation of her Recommendations. Additionally, the Law introduced provisions that strengthened the obligation of every Ministry, Department or Independent Authority of the Republic to cooperate with the Commissioner, and provides that the refusal to cooperate is a disciplinary offense.⁶⁹

138. Moreover, the Office of the Ombudsperson has its own separate budget, as is the case of the other Independent Authorities of the Republic. The Ombudsperson is the controlling officer and manages the budget of the Office, subject to the provisions of the relevant Law for the budget and to the constitutional provisions concerning the auditing (check and control of public expenditure) of the Republic. These are considered to be consonant with principle 2 under the part entitled "Composition and guarantees of independence and pluralism" of the Paris Principles.

VI. Fiscal consolidation, economic recovery and the right to adequate standard of living⁷⁰

139. The economic growth of the Cyprus economy continues, reaching a 4% average in the first two quarters of 2018 compared with the corresponding quarters of the previous year. The estimations of the Ministry of Finance exhibit that the growth rate will be as high as 4% for the whole of 2018. In the medium term, the annual growth rate for 2019–2021 is expected to fluctuate between 3.0%–3.8% in real terms.

140. The constant recovery of the Cyprus economy after the devastating financial crisis is reflected in the labour market where a climate of confidence and stability is established. Unemployment rate will fluctuate around 8.5% this year, compared to over 15.9% in 2013 and down from 11.1% in 2017. The constant economic recovery that is expected for 2019–2021 enhances assessments for a further decline of the unemployment rate, which is estimated to be contained at 5.5% in the end of the forecasting period when the Cyprus economy is foreseen to reach its long run equilibrium.

141. The Government of Cyprus implemented an EU-IMF macroeconomic adjustment programme during the period 2013–16, undertaking major reforms in the areas of public finance, the financial sector, the labour market and other structural reforms in key sectors of the economy, which resulted in stabilizing and successfully turning the economy into positive growth territory from 2015 onwards. Labour market flexibility has also prevented initial forecasts of very high unemployment rates to materialise.

142. In March 2016, Cyprus successfully exited its three-year Economic Adjustment Programme and is now subject to post-programme surveillance (PPS) until at least 75% of the financial assistance received has been repaid. The success of the Economic Adjustment Programme was based on three axis: (1) a fiscal strategy that was proved to be very efficient because of better than expected economic environment, resilience of revenues and containment of wage bills, pensions and social benefits, (2) structural reforms concerning the pension system, the unification of tax department and the welfare system with the replacement of various public assistance benefits with a Guaranteed Minimum Income and finally with reforms in the public financial system allowing for flexibility to line ministries while fostering accountability and transparency and also for systemic assessment, monitoring and management of fiscal risks, (3) active market labour market policies covering vulnerable groups of the population, inter alia the unemployed. For the years 2015–2022 91.8 million euro were devoted to reactivate unemployed persons so as to maintain their previous and acquire new skill.

143. At the same time, it is vital to refer to the relative poverty rate and income distribution data as reflected by the last EU SILC results showing that the relevant indicators have been corrected significantly. The risk of poverty or social exclusion has decreased in 2017 by 2.5% between 2016 and 2017: from 27.7% to 25.2%. Income distribution indicators as shown in the graph attached (Annex II) based upon the last EU SILC database with reference year 2017, exhibit that income distribution has gradually returned to its pre-crisis levels, with s80/s20 and the gini coefficient to pursue a parallel declining trend.

VII. Rights of religious minorities⁷¹

144. The Republic of Cyprus has ratified the Council of Europe *"Framework Convention for the Protection of National Minorities"* and the *"European Charter for Regional and Minority Languages"*. The Framework Convention covers the Armenians, the Maronites and the Latins, the three religious minority groups recognized as such by the Constitution of the Republic, while the Armenian language and Cypriot Maronite Arabic (CMA) are protected under the Charter. The MOEC constantly strives to meet the educational needs of the members of the religious minority groups and to ensure that their rights, deriving from the Convention and the Charter, are fully exercised. Consequently, the MOEC has taken several measures to support the educational needs of children belonging to the religious minority groups.⁷²

145. The Cultural Services of the MOEC further promote and protect the rights of religious minority groups. Until recently, subsidies for cultural activities for religious minority groups were granted through the "Culture Programme", in the same way that they were granted to all citizens of the Republic of Cyprus. As of 2018, separate funds are reserved and dedicated to the three religious minority groups, following close consultation with the three minority communities. The Cultural Services encourage and support the co-operation of religious minority groups with neighbouring countries, particularly, Armenia and Lebanon. Suitable premises to serve as cultural centres are also available for the relevant groups. The Ministry of Interior has given the Latin community premises for a cultural centre. For the Maronite community, suitable premises have been created and the Armenians have their own premises. The Cyprus Symphonic Orchestra Foundation is financing musical performances of the religious minority groups and the Youth Board of Cyprus subsidizes cultural and sports events.

146. In 2012, the Ministry of Interior, prepared and published for the first time a series of three publications, each dedicated to one of the religious groups in Cyprus, namely the Armenians, the Maronites and the Latins, in the Greek and English. Each provides a basic overview, an introductory outline about the members of the respective religious group, its history and culture as well as its contribution to the Cyprus society at large. Each publication was prepared in close collaboration with the Representative of the respective religious group in the House of Representatives. In 2013, the publications on the Maronites and Latins were translated and published in Italian.

147. During the period 2014–2018, extensive reference to the religious groups of Cyprus was also made in a number of informative publications of the Public Information Office (PIO).

148. All the PIO's productions and publications which pertain or refer to the three religious are available free of charge, widely circulated and are also accessible online via the PIO's website.

149. The MOEC continues the coordination of the Erasmus+ project "*iDecide*" (2016–2018), which has developed an innovative toolkit and induction course to support evidence-based policy making, which can lead to the reduction of disparities in learning outcomes and marginalization, by supporting school leaders, school staff, and policymakers to engage in shared and inclusive decision making. By implementing the toolkit and collecting rich data, the project aims to understand the complexities of how decisions at school level influence marginalized groups and develop concrete recommendations for policy and practice on how to engage in shared decision making, giving voice to all stakeholders. One of the most important deliverables of the project will be the "*iDecide Toolkit*", which will, among others, invite school leaders and staff to consider the following factors when making decisions:

- *Cultural differences*: Visits to religious sites need to take into consideration the various religions represented in the school population/community of the area/country in order to ensure that religious sites belonging to religious minorities will not be neglected systematically (regardless of intention).
- *Disability – Health issues*: All disabilities/health issues/dietary requirements of the school population and the potential difficulties they may encounter in the initial plan of the excursion/school visit need to be considered.
- *Economic obstacles*: Depending on the socioeconomic status of each pupil, school leaders and staff need to be sensitive of the cost.
- *Geographical obstacles*: The location of the community and the distance that children may need to travel everyday between the school and their homes needs to be taken into consideration.
- *Social obstacles*: Before decisions are taken social characteristics of the pupil population such as the type of their family, the citizenship status of the parents etc. need to be considered.

VIII. Way forward

150. During the period under review, there were significant positive developments regarding Cyprus compliance with human rights instruments. Many laws were enacted, and policies adopted, while several National Action Plans were initiated.

151. Despite the difficulties posed by the financial crisis, of 2013 the Government has allocated considerable resources for the consolidation of human rights protection in all sectoral policies and to promoting a shift of attitudes and culture towards a human rights based approach. Specialized training of the Police, the SWS, the Asylum Service, the Health Care Services Personnel and the teachers was further adapted to international standards in order to address, more effectively, challenges related to racism and xenophobia, domestic violence, human trafficking and sexual exploitation. The Reform of the Educational System was further developed, as an ongoing process, aiming at promoting human rights. The consolidation of a robust system to combat trafficking in human beings and an enhanced policy and infrastructure to deal with the challenge of excessive migratory flows have led to important improvements in safeguarding human rights.

152. The envisioned way forward entails the reunification of the country and the end of the foreign military occupation lasting for over 44 years, which will allow for the restoration of human rights of all the people of Cyprus, with respect to the rule of law and in full accordance with the universal principles of human rights.

153. Cyprus is determined to intensify its efforts to safeguard human rights and is strongly committed to continue working for the further advancement of raising awareness and education on human rights, despite the current economic constraints which have negatively affected the country's economy and social cohesion. Cyprus will spare no effort to uphold and take into serious consideration the recommendations emanating from this review and is committed to working with all relevant stakeholders. The constructive dialogue during the UPR process is a great opportunity to both build upon existing practices and initiate new ones to this end.

Notes

¹ Recommendations 114.1, 114.6, 114.11, 114.12, 114.13, 114.15, 114.23, 114.24, 114.27.

² L. 14(III)/2017.

³ Recommendations 114.7, 114.12.

⁴ Recommendations 114.2–7.

⁵ Recommendation 114.13.

⁶ Recommendations 114.8–9, 114.11.

⁷ Recommendation 114.10.

⁸ Recommendation 114.27.

⁹ Recommendations 114.14–15.

¹⁰ Recommendations 114.22, 114.25, 114.26, 114.28, 114.31, 114.32, 114.39, 114.73, 114.74.

¹¹ Recommendation 114.22.

¹² Recommendations 114.77–78.

¹³ Recommendation 144.36.

¹⁴ Recommendation 144.32.

¹⁵ Recommendation 144.27.

¹⁶ Recommendations 144.36–39.

¹⁷ (Law 100(I)/1997).

¹⁸ Recommendations 114.33, 114.54–57.

¹⁹ The duties of the Family Counsellors include the following: (1) Investigation of complaints on domestic violence (2) Family counseling to handle issues that are likely to lead to, or have led to, the use of violence (3) Arranging an immediate medical examination of the complainant (4) Taking all necessary actions for the commencement of criminal proceedings against perpetrators (5) Taking action for the accommodation / financial affairs of the family and the perpetrator, if an inhibition order is being considered.

²⁰ Measures implemented include: (1) the encouragement to report cases of violence, (2) the launching of awareness-raising campaigns addressed to the general public and women in particular, (3) the systematic training of professionals working in the field, (4) the strengthening of the Police Domestic

- Violence and Child Abuse Office, (5) the Government support to NGOs providing protection and assistance to women victims, (6) the improvement of data collection, and (7) the development of research in the field of Violence Against Women.
- ²¹ To give full effect to the Istanbul Convention, a call for proposals was published for NGOs for the development of two new shelters, as well as a Centre of Multidisciplinary Support for women victims of violence.
- ²² Recommendations 114.34–35, 114.74.
- ²³ Recommendations 114.40–44, 114.84, 114.86, 114.88.
- ²⁴ Recommendations 114.101–114.104.
- ²⁵ Please see attached Annex I on the Contribution of European Funds Unit, Ministry of Interior, particularly pages 3–5 concerning Vulnerable Groups.
- ²⁶ The Asylum Service grants a monthly allowance to cover basic personal needs. Three ready meals are provided daily, as well as free daily transportation from/to the Centre.
- ²⁷ Also, please see attached Annex I on the Contribution of European Funds Unit, MOI, particularly at p.p. 6–8 concerning Discrimination as well as p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers. Emphasis to be given to 7.4 in relation to improving reception of applicants and beneficiaries of international protection and access to acceptable housing, (p.p. 15–16).
- ²⁸ Also, please see attached Annex I on the Contribution of European Funds Unit, MOI, particularly p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers. Emphasis to be given at para 7.7, 7.13 and 7.14.
- ²⁹ Also, please see attached Annex I on the Contribution of European Funds Unit, MOI, particularly at p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers. Emphasis to be given at para 7.4–13 in relation to Free legal assistance / aid for applicants of international protection, (p.p. 18–20).
- ³⁰ Recommendation 114.91.
- ³¹ Also, please see attached Document on the Contribution of European Funds Unit, MOI, particularly at p.p. 6–8 concerning Discrimination as well as p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers.
- ³² Recommendations 114.29–30, 114.46–47.
- ³³ Recommendation 114.73.
- ³⁴ Recommendations 114.83, 114.85, 114.98.
- ³⁵ Recommendation 114.90.
- ³⁶ Also, please see attached Annex I on the Contribution of European Funds Unit, MOI, particularly at p.p. 3–5 concerning Vulnerable Groups, in addition to 6–8 concerning Discrimination as well as p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers.
- ³⁷ Recommendations 114.92–93.
- ³⁸ Recommendations 114.95–97.
- ³⁹ Recommendations 114.89, 114.99–100.
- ⁴⁰ Also, please see attached Annex I on the Contribution of European Funds Unit, MOI, particularly at p.p. 10–20 concerning Protection of the Rights of Migrants, Refugees and Asylum Seekers.
- ⁴¹ For migrant Children see above p.17.
- ⁴² Recommendation 114.58.
- ⁴³ The Prevention and Combating of Sexual Abuse and Sexual Exploitation of Children and Child Pornography Law of 2014.
- ⁴⁴ Recommendations 114.80–82.
- ⁴⁵ Recommendation 114.71.
- ⁴⁶ -Convention on the Rights of the Child, General Comment No. 10 (2007), Children's Rights in Juvenile Justice CRC/C/GC/10, 25 April 2007.
 -United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"), General Assembly resolution 40/33 of 29 November 1985.
 -United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), General Assembly resolution 45/112 of 14 December 1990.
 -United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Guidelines), General Assembly resolution 45/113 of 14 December 1990.
 -Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime adopted by Economic and Social Council resolution 2005/20 of 22 July 2005.
 -Guidelines of the Committee of Ministers of the Council of Europe on Child-friendly Justice and their explanatory memorandum- Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers' Deputies- Guidelines and Explanatory memorandum.
 -DIRECTIVE (EU) 2016/800 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 May 2016, on procedural safeguards for children who are suspects or accused persons in criminal

- proceedings.
- ⁴⁷ The National Strategy includes specific legal, administrative, social and educational measures to address the needs of vulnerable groups of children including girls, children with disabilities, migrant children and children in need of care.
- ⁴⁸ Recommendation 114.105.
- ⁴⁹ Recommendations 114.48–114.50, 114.59.
- ⁵⁰ Recommendation 114.31.
- ⁵¹ Greek, English, Turkish, Russian, Arabic and French.
- ⁵² Recommendations 114.51–52.
- ⁵³ Improved infrastructure (1) The glass between detainees and visitors from the visiting rooms was removed, (2) The detention centres are painted in a friendlier colour, (3) Some of the glass block windows were removed from the police detention centres and were replaced with windows that provide more access to natural lights and fresh air.
- ⁵⁴ Instructions included the following: (1) Transportation of all immigration detainees from police detention centers to Menoya Detention Center within 48 hours (2) Implementation of the visiting schedule, according to the relevant Police Standing Order and (3) placement of signs in all police stations with the visiting hours, (4) Information of persons arrested and detained about their rights both orally and in writing, (5) Systematic inspection of detainees files in order to ensure the proper completion of the file, (6) Placement of the Detainees Rights in the cells, (7) guaranteeing the right of the arrested person for contacting a person of his/her choice in the presence of the Police, (8) Proper completion of the medical form by the medical officer after medical examinations, (9) Prohibition of isolation and any other form of punishment, (10) Provision of specific personal hygiene items (soap, shampoo, toilet paper, toothpaste, toothbrush and personal hygiene items for women), (11) Organization of inter-departmental training on issues relating to human rights and treatment of detainees.
- ⁵⁵ (1) Clear reference of the reasons of his/her arrest or detention and about the offence that he/she is accused of having committed, (2) The right of access to a lawyer, (3) The right of free legal aid/assistance and the conditions required of such assistance, (4) The right of interpretation and translation, (5) The right to remain silent and non self-discrimination, (6) The rights of communicating with a lawyer and or any other persons in order to inform them about the arrest and/or detention, (7) The place of detention, (8) The right of access to the material of the case, (9) The right to inform the consular authorities or any other person, (10) The right of access to urgent medical care, (11) The maximum time of detention, and (12) The right to challenge the lawfulness of the arrest and detention.
- ⁵⁶ Greek, English, Turkish, Arabic, Bulgarian, French Georgian, Persian, Ukrainian, Polish, Russian, Rumanian, Serbian, Slovak, Slovenian, German, Spanish, Italian and Hungarian.
- ⁵⁷ Also, please see attached Document on the Contribution of European Funds Unit, MOI, particularly at p p 8–9 concerning Detention and particularly regarding measures to improve detention conditions.
- ⁵⁸ Recommendation 114.53.
- ⁵⁹ Also, please see attached the Annex I on the Contribution of European Funds Unit, MOI, particularly at pp 8–9 concerning detention and measures to improve detention conditions.
- ⁶⁰ Also, please see attached the Annex I on the Contribution of European Funds Unit, MOI, particularly at pp 8–9 concerning detention and measures to improve detention conditions.
- ⁶¹ Greek, English, Turkish, Polish, Hindi, Vietnamese, Bulgarian, Arabic, French, Georgian, Chinese, Urdu, Persian, Serbian, Romanian, Filipino, Srilankan and Russian.
- ⁶² Recommendations 114.60–70.
- ⁶³ Also please see attached Document on the Contribution of European Funds Unit, MOI particularly pp. 9–10 concerning Combating Trafficking in Human Beings.
- ⁶⁴ Also please see attached Document on the Contribution of European Funds Unit, MOI particularly pp. 9–10 concerning Combating Trafficking in Human Beings.
- ⁶⁵ Also please see attached Annex I on the Contribution of European Funds Unit, MOI particularly pp. 9–10 concerning Combating Trafficking in Human Beings.
- ⁶⁶ Recommendations 114.16–21.
- ⁶⁷ The Ombudsperson: (1) is appointed for a term of six years; (2) May not hold any other post of or office in the Republic or engage in any other occupation in payment; (3) Before assuming his/her duties, shall make an affirmation before the President of the House of Representatives, that he/she will carry out his duties faithfully; (4) During his/her term of office, may not be dismissed or withdraw from Office, except for the same reasons and in the same way that judges of the Supreme Court may be dismissed or withdraw from Office; (5) No legal proceeding may be brought against him/her in relation to any act done by him/her or any opinion expressed by him/her or report submitted by him/her in the exercise of his/her functions, provide that he/she has exercised his functions and powers under the Law in good faith and within their limits. (6) The Commissioner or

any other member of the staff of his/her Office may not be called to testify before a Court or in any proceedings of a legal nature in respect of any matter that has come to his Knowledge in the exercise of his/her duties.

⁶⁵ The Ombudsperson has now responsibility through the exercise of its own power to submit opinions, recommendations, proposals and reports which relate to the following areas: (1) Any situations of violation of human rights which decides to take up, (2) The national situation with regards to human rights in general and on more specific matters (3) Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations.

⁶⁶ The Law expressly provides for the obligation of the competent authority to consult with the Commissioner as to the findings in his/her report and to provide information as to the actions undertaken to comply with the suggestions there in. When the competent authority does not comply with the suggestions of the Commissioner and the latter considers that the reasons are not justified, then the Commissioner submits the outcome of the consultation to the Council of Ministers and the House of Representatives and may publish the refusal or omission of the competent authority to comply with the Commissioner's suggestions.

⁷⁰ Recommendations 114.75-76.

⁷¹ Recommendations 114.45, 114.72.

⁷² Please see Annex III for examples of these measures.

**General Assembly**

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Human Rights Council

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Thirty-second session

21 January–1 February 2019

Compilation on Cyprus**Report of the Office of the United Nations High Commissioner for Human Rights****I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1,2}

2. The Committee on Economic, Social and Cultural Rights encouraged Cyprus to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Committee on the Elimination of Racial Discrimination and the Special Rapporteur in the field of cultural rights made a similar recommendation.³

3. The Committee on Economic, Social and Cultural Rights encouraged Cyprus to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.⁴

4. The same Committee encouraged Cyprus to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Special Rapporteur on cultural rights made a similar recommendation.⁵

5. The Committee on the Rights of the Child urged Cyprus to withdraw the declaration on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, considering that it amounted to a reservation to articles 1 and 2 of the Optional Protocol and went against its object and purpose.⁶

6. The Committee on the Elimination of Racial Discrimination encouraged Cyprus to consider ratifying the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). The Committee on the Elimination of Discrimination against Women made a similar recommendation.⁷

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7. The Committee on the Elimination of Discrimination against Women recommended that Cyprus ratify the ILO Private Employment Agencies Convention, 1997 (No. 181).⁸

8. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Cyprus accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The Committee on the Rights of Persons with Disabilities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women made similar recommendations.⁹

9. Cyprus contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2014, 2015, 2016, and 2017.

III. National human rights framework¹⁰

10. The Committee on Economic, Social and Cultural Rights recommended that Cyprus take all appropriate measures to ensure that the rights enshrined in the Covenant on Economic, Social and Cultural Rights were fully incorporated in its domestic legal order and, as with civil and political rights, had constitutional rank in order to ensure that they were protected by the domestic courts at all levels.¹¹

11. The same Committee recommended that Cyprus take all measures necessary to ensure that the Office of the Commissioner for Administration and Human Rights was fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It recommended that Cyprus base the appointment process on the principles of openness, participation and transparency, ensure that the promotional mandate of the Commissioner was explicitly provided by law, allocate sufficient resources to, and ensure the financial autonomy of, the Office of the Commissioner, and empower it to recruit its own staff.¹²

12. The Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment noted that the Office of the Commissioner for Administration and Human Rights was designated as the national preventive mechanism by virtue of Law No. 2 (III) of 2009. It was seriously concerned by subsections (2) and (3) of section 5 of that Law, which required the Commissioner to provide prior written notification of the intention to visit a place of detention and the time and date of the planned visit.¹³

13. The Committee on the Rights of Persons with Disabilities was concerned that national legislation lacked a definition of discrimination that recognized that denial of reasonable accommodation was a form of disability-based discrimination in all areas of life.¹⁴

14. The Special Rapporteur on cultural rights noted that the 1960 Constitution contained no specific provisions expressly protecting the right to participate in cultural life.¹⁵

15. The Committee on the Rights of the Child urged Cyprus to review and amend its National Guard law to allow compulsory recruitment only if the person concerned had reached 18 years of age on the date of recruitment.¹⁶

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁷

16. The Human Rights Committee was concerned about reports that the nationality laws were applied in a discriminatory manner in relation to individuals from particular groups,

particularly children of Turkish Cypriots and persons of South-East Asian origin, and that members of the latter group encountered obstacles in attaining Cypriot citizenship, despite meeting the legal requirements to acquire it. It recommended that Cyprus take adequate measures to ensure that the nationality laws were applied indiscriminately on the basis of clearly defined criteria. It recommended that it ensure that applicants had access to information concerning the requirements of citizenship and that they received a decision on their application for citizenship within a reasonable period of time.¹⁸

17. The Special Rapporteur on cultural rights considered the rigid classification of all citizens into members of either the Greek Cypriot or Turkish Cypriot "communities" as problematic and not in line with human rights standards. She noted that that imposed choices about cultural identity and membership in a specific group on people in violation of their cultural rights. She stated that such classification risked reducing those not in the categories in question to secondary status and created a sense of inequality. She noted that a specific concern related to article 2 (7) of the Constitution, which stated that married women should belong to the "community" to which their husbands belonged and that children under the age of 21 who were not married should belong to the "community" to which their fathers belonged.¹⁹

18. The Committee on Economic, Social and Cultural Rights was concerned at the persistent discrimination against non-European Union migrants, Turkish Cypriots and members of ethnic minorities, especially Roma. It was also concerned at the remaining discriminatory provisions in existing legislation, such as section 5 of the Equal Treatment in Employment and Occupation Law of 2004, which did not cover discrimination based on nationality, the legal protection gap regarding multiple discrimination or the limited scope of anti-discrimination jurisprudence, reportedly owing to the lack of awareness of the anti-discrimination laws. It urged Cyprus to review the existing legislation with a view to removing all discriminatory provisions. It recommended that Cyprus adopt a comprehensive anti-discrimination law that prohibited all direct, indirect and multiple forms of discrimination on any grounds and that provided for effective remedies for victims of discrimination, including within judicial and administrative proceedings.²⁰

19. The Human Rights Committee recommended that Cyprus strengthen its efforts to eradicate racial discrimination against Turkish Cypriots, Roma and other minorities by, inter alia, conducting public awareness-raising campaigns to promote tolerance and respect for diversity.²¹

20. The Committee on the Elimination of Racial Discrimination recommended that Cyprus develop a comprehensive strategy for the inclusion of members of the Roma (Kurbet) community to ensure that they had access to adequate housing, education (including in their language, where and when appropriate), employment and health care without discrimination or stigma.²²

21. The Special Rapporteur on cultural rights expressed concern about discourses of exclusion, hatred or superiority that were still purveyed in some quarters on all sides, noting particular concern about attacks on cultural events, artists and sites. She noted claims that impunity for such acts was common, due to a lack of prosecution, and that police records might not reflect the extent of racist crime in Cyprus.²³

22. The ILO Committee of Experts on the Application of Conventions and Recommendations encouraged Cyprus to undertake studies or research to analyse the situation of the different groups in the labour market, in particular third-country nationals, Turkish Cypriots and members of national minorities, especially Roma and Pontian Greeks, with a view to eliminating any discrimination against them on the grounds of race, national extraction and colour.²⁴

23. The Human Rights Committee recommended that Cyprus amend its legislation to ensure that children of women who had been internally displaced had the same benefits as children of internally displaced men, without any kind of distinction.²⁵

24. The Special Rapporteur on cultural rights recommended that awareness-raising campaigns and educational programmes, including in schools, be developed on the meaning and importance of cultural heritage in all its diversity.²⁶

B. Civil and political rights

1. Right to life, liberty and security of person²⁷

25. The Secretary-General stated that, as at 20 June 2018, the bicomunal team of archaeologists of the Committee on Missing Persons in Cyprus had exhumed the remains of 1,217 persons on both sides of the island. The remains of 870 missing persons, of a total of 2,002, had been identified and returned to their respective families.²⁸

26. The Committee against Torture recommended that Cyprus ensure that the Attorney General was duly informed of all the allegations of torture or ill-treatment received by the Independent Authority for the Investigation of Allegations and Complaints against the Police and carried out prompt, effective and impartial investigations whenever there were reasonable grounds to believe that acts of torture or ill-treatment had been committed. It also recommended that Cyprus duly bring to trial alleged perpetrators of acts of torture or ill-treatment and, if they were found guilty, punish them with penalties proportionate to the grave nature of their acts.²⁹

27. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that detainees underwent systematic medical screening and that, when they were necessary, such screenings be carried out in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol).³⁰

28. The Committee against Torture recommended that Cyprus ensure that all incidents of death, suicide, attempted suicide and violence in custody were reported to central authorities for monitoring purposes, and that all cases were effectively and independently investigated and, on a finding of criminal responsibility, led to a penalty proportional to the gravity of the offence.³¹

29. It remained concerned by the numerous allegations of ill-treatment by police in the Menoyia detention centre. It noted that it had received information regarding very limited outdoor access, the poor quality of food and frequent resort to solitary confinement.³²

30. The Human Rights Committee, while noting the efforts made by Cyprus to reduce overcrowding and improve the conditions of detention, remained concerned at reports of inter-prisoner violence, including gang rape, the use of solitary confinement for excessive periods of time and of minors and migrants not always being segregated from the rest of the detained population.³³

31. The Committee against Torture recommended that Cyprus revise the Prison Law and Regulations in order to ensure that solitary confinement was never applied to juveniles in conflict with the law or to persons with psychosocial disabilities and that it remained a measure of last resort, imposed for as short a time as possible, under strict supervision and judicial review. It stated that the practice of imposing informal disciplinary isolation should be strictly prohibited.³⁴

32. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that all sanitary facilities in the juvenile wing of Nicosia central prison were clean and in good hygienic conditions. It recommended that every juvenile detainee be provided with sufficient and clean bedding.³⁵

33. It also recommended that Cyprus review its laws and practices to reduce the length of pretrial detention and reminded Cyprus that police stations should not be used as places of detention for extended periods of time, as set out in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).³⁶

34. The Committee against Torture was concerned by information about obstacles that impeded Turkish Cypriot prisoners detained in the southern part of the island receiving visits from family and friends.³⁷

2. Administration of justice, including impunity, and the rule of law³⁸

35. The Committee against Torture recommended that Cyprus redouble its efforts to guarantee that the relatives of missing persons identified by the Committee on Missing Persons in Cyprus received appropriate redress, including the means for their psychological rehabilitation, compensation, satisfaction and for the implementation of the right to truth.³⁹

36. The Human Rights Committee recommended that Cyprus ensure that cases of racially motivated violence were promptly investigated, that perpetrators were prosecuted and, where appropriate, punished, and that compensation was awarded to victims.⁴⁰

37. The Subcommittee on Prevention of Torture recommended that Cyprus establish, as a matter of priority, an effective and expeditious system for providing free legal aid from the start of detention. It also recommended that Cyprus ensure that all detained persons were informed, both orally and in writing, of their rights in a language that they understood, of legal remedies and of how to challenge the lawfulness of their detention.⁴¹

3. Fundamental freedoms and the right to participate in public and political life⁴²

38. The Human Rights Committee recommended that Cyprus continue its efforts to open new crossing points and take measures to facilitate greater access by residents of the northern part of the island to the southern part.⁴³

39. The Secretary-General expressed concerns about restrictions that hampered religious worship on the island, including time limitations on religious worship in mosques in the south, and called for all restrictions on the freedom of worship, including those relating to access to religious sites, to be lifted.⁴⁴

40. The Special Rapporteur on cultural rights noted that some mosques, minarets, graveyards, community centres and schools were reportedly neglected, resulting in further damage. She noted that in some cases, mosques were reportedly used as barns and graveyards turned into grazing land for animals.⁴⁵

41. She recommended that Cyprus continue and increase its efforts towards greater access by all to cultural heritage sites, in dignity, ending de facto impediments, including through simplifying processes for accessing particular sites and providing for essential facilities such as water and washrooms in restored mosques.⁴⁶

42. The Human Rights Committee recommended that Cyprus ensure that all future amendments and laws concerning participation in elections were disseminated and published in both official languages.⁴⁷

4. Prohibition of all forms of slavery⁴⁸

43. The Committee on Economic, Social and Cultural Rights called upon Cyprus to step up its efforts to effectively investigate acts of trafficking and to prosecute and punish perpetrators with penalties commensurate with the gravity of the offences. It recommended that it take effective measures to strictly enforce existing legislation pertaining to private employment agencies and monitor their activities with a view to preventing trafficking in migrant workers, particularly women.⁴⁹

44. The Committee on the Elimination of Discrimination against Women was concerned about reports that victims of trafficking were sometimes arrested, detained and deported for acts committed as a consequence of having been trafficked. It also expressed concern about the lack of systematic rehabilitation and reintegration measures, counselling, medical treatment, psychological support and redress, including compensation, for victims of trafficking, in particular those who were unable or unwilling to cooperate with the prosecution authorities in proceedings against traffickers. It was further concerned about the insufficient number and coverage of shelters for victims of trafficking.⁵⁰

5. Right to privacy and family life

45. UNHCR recommended that Cyprus facilitate family unity by reintroducing a right for beneficiaries of subsidiary protection to apply for family reunification.⁵¹

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁵²

46. The Committee on Economic, Social and Cultural Rights recommended that Cyprus step up its efforts to reduce unemployment, including by continuing to prioritize adequate vocational training, especially for the long-term unemployed in order to strengthen their position in the labour market. It also recommended that Cyprus continue to strengthen its actions to combat youth unemployment.⁵³

47. The same Committee recommended that Cyprus increase the minimum wages and regularly adjust them to the cost of living so as to ensure an adequate standard of living for workers and their families.⁵⁴

48. The same Committee reiterated its concern that non-European Union migrants continued to experience labour exploitation and social isolation, especially those working in the farming and agricultural sector. It was concerned at the precarious situation of domestic workers, the majority of whom were non-European Union migrant women, and at the absence of labour inspections to monitor their working conditions.⁵⁵

49. The Committee on the Elimination of Racial Discrimination reiterated its concern that domestic workers remained vulnerable to exploitation and abuse.⁵⁶

50. The Committee on the Elimination of Discrimination against Women recommended that Cyprus adopt a specific law regulating domestic employment, with adequate sanctions for employers engaging in abusive practices.⁵⁷

51. The same Committee recommended that Cyprus strictly enforce the Equal Pay for Men and Women for Equal Work or Work of Equal Value (Amendment) Law, including by imposing sanctions for non-compliance, and adopt further measures to close the gender wage gap, including through gender-neutral analytical job classification and evaluation methods and regular pay surveys.⁵⁸

52. The ILO Committee of Experts stated that the employers' obligations in the case of migrant workers in an irregular situation should include the payment of wages and social security and other benefits, including compensation for occupational accidents, for the effective period of their employment relationship, especially in cases where such workers were liable to be expelled from the country.⁵⁹

53. The Committee on Economic, Social and Cultural Rights recommended that Cyprus expand the range of jobs and employment opportunities that asylum seekers could access.⁶⁰

2. Right to social security⁶¹

54. The Committee on the Rights of Persons with Disabilities was concerned about the limited access to early intervention and support provided to children with disabilities and their families, especially within the educational, health and social sector, and about the inadequate financial allowances available for families of children with disabilities.⁶²

55. The Committee on Economic, Social and Cultural Rights recommended that Cyprus increase the amount of the social assistance benefits provided to asylum seekers to the level of the guaranteed minimum income to ensure an adequate standard of living.⁶³

3. Right to an adequate standard of living⁶⁴

56. The same Committee was concerned that the number of persons living in poverty had significantly increased and recommended that Cyprus intensify its efforts to combat poverty, including through the comprehensive analysis of the needs of the most disadvantaged and marginalized individuals and groups and the adoption of concrete and targeted measures to address those needs.⁶⁵

57. The same Committee recommended that Cyprus take all measures necessary to ensure the right to adequate housing for all and to increase the budget allocation to housing with a view to providing affordable social housing units, improving the existing housing conditions for disadvantaged and marginalized individuals and groups, and addressing the

issue of rent arrears. It also recommended that Cyprus ensure that a legal framework was in place establishing the procedures to be followed in the case of evictions that was in line with the international standards and guidelines contained in the Committee's general comment No. 7 (1997) on forced evictions.⁶⁶

4. Right to health⁶⁷

58. The same Committee was concerned at the limited range of health-care services provided by the public health system and long waiting lists. It was also concerned that asylum seekers and undocumented migrants were reportedly limited in their access to health-care services, despite the measures taken by Cyprus.⁶⁸

59. The Committee on the Rights of Persons with Disabilities was concerned about the insufficient accessibility to health-care services by persons with disabilities.⁶⁹

60. The Committee on the Elimination of Discrimination against Women was concerned about the limited access to contraceptives, in particular modern contraceptives, especially for girls and disadvantaged groups of women.⁷⁰

5. Right to education⁷¹

61. The same Committee was concerned about the high number of girls who suffered from discrimination and sexual harassment in schools and the disproportionate number of Turkish Cypriot, migrant, refugee, asylum-seeking and Roma girls, as well as pregnant girls and girls with disabilities, who continued to face difficulties in gaining access to high-quality education, despite the efforts made by the State party.⁷²

62. The Committee on the Elimination of Racial Discrimination was concerned that members of the Roma (Kurbet) community continued to face discrimination and stigmatization, as well as challenges such as low school attendance and high dropout rates.⁷³

63. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Cyprus should be encouraged to develop a comprehensive strategy to ensure adequate and equal access to education by the Roma (Kurbet) community.⁷⁴

64. The Committee on Economic, Social and Cultural Rights recommended that Cyprus review the legal definition of inclusive education with a view to bringing it into line with international norms. It also recommended that it step up its efforts to ensure that all children with disabilities were provided with reasonable accommodation to fully participate in inclusive education at all levels of education.⁷⁵

65. OHCHR stated that there had been no developments regarding the establishment of a Turkish-language school in Limassol, although Turkish-speaking pupils had access to Turkish-language education at a primary school and a high school there.⁷⁶

D. Rights of specific persons or groups

1. Women⁷⁷

66. The Committee on the Elimination of Discrimination against Women recommended that Cyprus strengthen the representation of women in decision-making positions in political life, particularly in the parliament and on municipal councils, in the Cabinet and as mayors, in the diplomatic service and in peace negotiations, with a view to reaching the targets and quotas included in the national action plan on gender equality.⁷⁸

67. The Committee on Economic, Social and Cultural Rights recommended that Cyprus take all measures necessary to increase the level of participation of women in the labour market, and increase women's representation in decision-making positions in the public sector and encourage greater representation of women in senior positions in the private sector.⁷⁹

68. The same Committee recommended that Cyprus intensify its efforts to ensure that all reported cases of domestic violence were promptly and thoroughly investigated and that

the perpetrators were punished with penalties commensurate with the gravity of the offences. It recommended that it provide adequate support to the victims of domestic violence by increasing the number of shelters and allocating sufficient funding for legal aid, as well as physical and psychological treatment. Furthermore, it recommended that Cyprus improve the data-collection system on domestic violence.⁸⁰

2. Children⁸¹

69. The Human Rights Committee recommended that Cyprus take measures to ensure that juvenile offenders were tried before a specialized court for juveniles and were separated from adults in detention facilities. It also recommended that it ensure the provision of alternatives to imprisonment as the primary course of action for juveniles and that juvenile offenders were detained only as a last resort and for as short a period of time as possible.⁸²

70. The Subcommittee on prevention of Torture also recommended that Cyprus provide unaccompanied minors with a guardian to keep them informed of their legal situation and to effectively protect their interests. It also recommended that Cyprus ensure that every unaccompanied minor had effective access to an education that was suited to his or her needs and abilities and that was designed to prepare him or her for inclusion in society.⁸³

3. Persons with disabilities⁸⁴

71. The Committee on the Rights of Persons with Disabilities recommended that Cyprus ensure access to safe, affordable, accessible and sustainable transport for all, including persons with disabilities regardless of their type of impairment.⁸⁵

72. The same Committee recommended that Cyprus strengthen and implement legislation and provide for accessible monitoring and reporting mechanisms to detect, prevent and combat all forms of violence, including sexual violence, against persons with disabilities in all settings, including all types of institutions, with a particular focus on women and children with disabilities.⁸⁶

73. The same Committee was concerned by the high level of unemployment and lack of gender, age and disability disaggregated data regarding employment of persons with disabilities, and about the insufficient measures to promote their inclusion into the open labour market regardless of the type of impairment.⁸⁷

74. The same Committee took note of the guaranteed minimum income, but remained concerned that a high number of persons with disabilities had a particularly low income. It was concerned that, regardless of their income, persons with disabilities did not have an adequate standard of living compared with others in a comparable situation of life, inter alia, because they were required to partly pay for necessary disability-associated costs and assistive devices and were subjected to payments for using social services.⁸⁸

4. Minorities and indigenous peoples⁸⁹

75. The Human Rights Committee recommended that Cyprus continue its efforts to eradicate the economic, linguistic and cultural barriers facing Turkish Cypriots and other minorities. It recommended that Cyprus intensify its efforts to integrate Turkish Cypriots into the civil service and the judiciary, including through the introduction of temporary special measures, and consider easing the language requirements for entering the civil service. It also recommended that Cyprus consider establishing a Turkish school in Limassol.⁹⁰

76. The Special Rapporteur on cultural rights noted in particular the desire expressed by Maronites and Armenians to be recognized as historical minorities.⁹¹

5. Migrants, refugees, asylum seekers and internally displaced persons⁹²

77. UNHCR recommended that Cyprus develop transparent standard operating procedures on refugee status determination. It also recommended that Cyprus develop the capacity of the medical council to conduct physical as well as psychological evaluations of survivors of torture.⁹³

78. UNHCR recommended that Cyprus establish a method for the early and systemic identification of persons with specific needs and permit access to special needs assistance, including special reception conditions and disability allowances.⁹⁴

79. The Committee against Torture recommended that Cyprus urgently improve the screening system introduced by the Asylum Service to ensure that effective measures were in place to identify as early as possible victims of torture and trafficking, and provide them with immediate rehabilitation and priority access to the asylum determination procedure.⁹⁵

80. The Committee on the Rights of the Child urged Cyprus to establish a mechanism for early detection of all migrant, asylum-seeking and refugee children who were at risk or had been recruited and/or used in hostilities, and take all necessary measures to ensure its effective functioning.⁹⁶

81. The Committee against Torture urged Cyprus to ensure that persons in need of international protection, including those fleeing indiscriminate violence, were not detained or, if at all, only as a measure of last resort, after alternatives to detention had been duly examined and exhausted and for as short a period as possible. It stated that Cyprus should also refrain from applying the Aliens and Immigration Law to asylum seekers.⁹⁷

82. The Committee on Economic, Social and Cultural Rights recommended that Cyprus review its asylum detention policy with a view to limiting the detention of asylum seekers only to situations in which it was absolutely necessary and shortening the time that rejected asylum seekers spent in detention to an indispensable minimum, and apply, as a rule, measures and alternatives to detention.⁹⁸

83. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that undocumented migrants were detained only as a measure of last resort and that it immediately prioritize non-custodial measures.⁹⁹

84. It recommended that Cyprus promptly provide undocumented migrants in detention with detailed and accurate information concerning their legal status and all the procedures affecting them, including their refugee status determination, deportation and possible means of appeal and remedies.¹⁰⁰

85. The Committee against Torture recommended that Cyprus amend the Refugee Law and the Law on Provision of Legal Aid in order to guarantee access to independent, qualified and free-of-charge legal assistance for asylum seekers during the entire asylum procedure, at first instance level and during the judicial review, as well as for undocumented immigrants, including unaccompanied minors, in addition to the appointment of a guardian, in order to challenge the lawfulness and duration of their deportation and detention orders.¹⁰¹

86. The Subcommittee on Prevention of Torture was concerned at the lack of hot water in the open reception centre for migrants at Kofinou and the appalling state of some of the communal toilets and shower blocks. It noted that over one third of the centre's population was made up of young children.¹⁰²

87. The Committee on Economic, Social and Cultural Rights recommended that Cyprus continue its efforts to expand the reception capacity of the existing reception centre in Kofinou and consider creating additional capacity elsewhere, and ensure that the emergency facility was used only for its initial purpose. It recommended that Cyprus improve the services provided to asylum seekers at the reception centre, including health-care services, social and psychological counselling and language and vocational training, and make transportation to asylum seekers' workplaces available. The Subcommittee on Prevention of Torture recommended that Cyprus ensure that children were provided with education in a language that they understood, while also providing lessons in local languages in order to enhance access to learning and, more generally, social integration.¹⁰³

6. Stateless persons

88. UNHCR recommended that Cyprus develop national legislation and procedures addressing statelessness and ensure the right to nationality for children born to parents who were beneficiaries of international protection, asylum seekers or stateless themselves.¹⁰⁴

89. The Committee on the Elimination of Discrimination against Women recommended that Cyprus disseminate information on the right of migrant women, including those in an irregular situation, to obtain birth certificates for their children and facilitate the delivery of birth certificates to undocumented migrant women for their children born in the State party.¹⁰³

E. Specific regions or territories

90. OHCHR stated that due to the persistent division of Cyprus, monitoring of and reporting on the human rights situation in the northern part of the island had remained limited.¹⁰⁶

91. It stated that access to sites to hold religious services and other commemorative activities in the north of the island was facilitated by the United Nations Peacekeeping Force in Cyprus, upon request, which had noted with concern the decline in the number of religious services approved for it to facilitate, compared with the same period in 2015–2016, as well as other limitations and restrictions that had hampered worship.¹⁰⁷

92. OHCHR noted the restrictive criteria for granting permits to conduct religious services outlined by the Turkish Cypriot authorities, raising serious concerns about the accessibility of religious sites and the enjoyment of freedom of religion and cultural rights.¹⁰⁸

93. The Committee on Economic, Social and Cultural Rights was deeply concerned at the massive destruction of cultural heritage sites and artefacts, mostly in the northern part of Cyprus. It was also concerned at the limited access of people in Cyprus to their cultural heritage sites.¹⁰⁹

94. The Special Rapporteur on cultural rights stated that she had received extensive documentation and testimonies about churches, monasteries, cemeteries and archaeological sites that continued to deteriorate. She stated that many stakeholders expressed concern about the inappropriate use of a number of churches, in particular Orthodox churches.¹¹⁰

95. She stated that sacred objects, icons and frescoes had been removed illegally from abandoned churches in the north and sold on the international market. Looting had been widespread and systematically organized.¹¹¹

96. She stated that the Turkish Cypriot authorities had put in place restrictive arrangements for collective access and that sometimes demands were rejected with no explanation.¹¹²

97. She also noted that an additional effort to alter the symbolic, historical and cultural landscape was the systematic changing of the names of places, streets and villages in the north.¹¹³

98. OHCHR noted that the Security Council had called on both sides to allow access to deminers and to facilitate the removal of the remaining mines within the buffer zone, and urged both sides to extend demining operations outside the buffer zone.¹¹⁴

99. It stated that property rights were an issue of concern in the buffer zone, where the United Nations Peacekeeping Force in Cyprus estimated that about 20 per cent of the arable land was being farmed without the authorization of its owners.¹¹⁵

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Cyprus will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/CYIndex.aspx.

² For relevant recommendations, see A/HRC/26/14, paras. 114.1–114.15 and 114.58.

³ E/C.12/CYP/CO/6, para. 46; CERD/C/CYP/CO/23-24, para. 28; and A/HRC/34/56/Add.1, para. 105.

⁴ E/C.12/CYP/CO/6, para. 46.

⁵ *Ibid.*, para. 45; and A/HRC/34/56/Add.1, para. 105.

- ⁶ CRC/C/OPAC/CYP/CO/1, paras. 7–8.
- ⁷ CERD/C/CYP/CO/23-24, para. 28; and CEDAW/C/CYP/CO/8, para. 39 (f).
- ⁸ CEDAW/C/CYP/CO/8, para. 29 (h).
- ⁹ UNHCR submission for the universal periodic review of Cyprus, p. 5; CRPD/C/CYP/CO/1, para. 16 (d); CERD/C/CYP/CO/23-24, para. 28, and CEDAW/C/CYP/CO/8, para. 33 (b).
- ¹⁰ For relevant recommendations, see A/HRC/26/14, paras. 114.16–114.24 and 114.54.
- ¹¹ E/C.12/CYP/CO/6, para. 6.
- ¹² Ibid., para. 8. See also CCPR/C/CYP/CO/4, para. 5; CERD/C/CYP/CO/23-24, paras. 14–15; and CEDAW/C/CYP/CO/8, para. 21.
- ¹³ CAT/OP/CYP/1, paras. 86–87.
- ¹⁴ CRPD/C/CYP/CO/1, para. 11.
- ¹⁵ A/HRC/34/56/Add.1, para. 8.
- ¹⁶ CRC/C/OPAC/CYP/CO/1, para. 10.
- ¹⁷ For relevant recommendations, see A/HRC/26/14, paras. 114.25–114.29, 114.31–114.32, 114.40–114.43, 114.46–114.50, 114.75–114.76 and 114.105.
- ¹⁸ CCPR/C/CYP/CO/4, para. 6.
- ¹⁹ A/HRC/34/56/Add.1, paras. 28 and 30–32. See also CEDAW/C/CYP/CO/8, para. 14 (b).
- ²⁰ E/C.12/CYP/CO/6, paras. 13–14. See also CEDAW/C/CYP/CO/8, para. 15 (a)–(b).
- ²¹ CCPR/C/CYP/CO/4, para. 7. See also CERD/C/CYP/CO/23-24, paras. 16–17, and A/HRC/34/56/Add.1, para. 106 (f).
- ²² CERD/C/CYP/CO/23-24, para. 19.
- ²³ A/HRC/34/56/Add.1, para. 24.
- ²⁴ See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3253718:NO.
- ²⁵ CCPR/C/CYP/CO/4, para. 9.
- ²⁶ A/HRC/34/56/Add.1, para. 99.
- ²⁷ For relevant recommendations, see A/HRC/26/14, paras. 114.51–114.52.
- ²⁸ S/2018/676, para. 45.
- ²⁹ CAT/C/CYP/CO/4, para. 8 (b) and (f). See also CCPR/C/CYP/CO/4, para. 11, CAT/OP/CYP/1, para. 25.
- ³⁰ CAT/OP/CYP/1, para. 16.
- ³¹ CAT/C/CYP/CO/4, para. 15 (b).
- ³² CAT/C/CYP/CO/4, para. 18.
- ³³ CCPR/C/CYP/CO/4, para. 15.
- ³⁴ CAT/C/CYP/CO/4, para. 15 (c).
- ³⁵ CAT/OP/CYP/1, para. 39.
- ³⁶ Ibid., para. 19.
- ³⁷ CAT/C/CYP/CO/4, para. 15.
- ³⁸ For relevant recommendations, see A/HRC/26/14, para. 114.94.
- ³⁹ CAT/C/CYP/CO/4, para. 21. See also CCPR/C/CYP/CO/4, para. 10.
- ⁴⁰ CCPR/C/CYP/CO/4, para. 7. See also CERD/C/CYP/CO/23-24, paras. 16–17, A/HRC/34/56/Add.1, para. 106 (f).
- ⁴¹ CAT/OP/CYP/1, para. 14.
- ⁴² For relevant recommendations, see A/HRC/26/14, paras. 114.72–114.73.
- ⁴³ CCPR/C/CYP/CO/4, para. 17.
- ⁴⁴ S/2018/25, para. 25.
- ⁴⁵ A/HRC/34/56/Add.1, para. 53.
- ⁴⁶ Ibid., para. 106 (b).
- ⁴⁷ CCPR/C/CYP/CO/4, para. 22.
- ⁴⁸ For relevant recommendations, see A/HRC/26/14, paras. 114.60–114.70 and 114.93.
- ⁴⁹ E/C.12/CYP/CO/6, para. 34.
- ⁵⁰ CEDAW/C/CYP/CO/8, para. 28 (c)–(e).
- ⁵¹ UNHCR submission for the universal periodic review of Cyprus, p. 4.
- ⁵² For relevant recommendations, see A/HRC/26/14, paras. 114.37–114.39 and 114.95–114.98.
- ⁵³ E/C.12/CYP/CO/6, para. 20.
- ⁵⁴ Ibid., para. 24.
- ⁵⁵ Ibid., para. 27.
- ⁵⁶ CERD/C/CYP/CO/23-24, para. 22.
- ⁵⁷ CEDAW/C/CYP/CO/8, para. 39 (a).
- ⁵⁸ Ibid., para. 37 (c). See also E/C.12/CYP/CO/6, para. 18 (c).
- ⁵⁹ www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3284013:NO.
- ⁶⁰ E/C.12/CYP/CO/6, para. 16 (e). See also CERD/C/CYP/CO/23-24, para. 21 (b), UNHCR submission for the universal periodic review of Cyprus, p. 4.

- ⁶¹ For relevant recommendations, see A/HRC/26/14, para. 114.100.
- ⁶² CRPD/C/CYP/CO/1, para. 19.
- ⁶³ E/C.12/CYP/CO/6, para. 16 (d). See also CERD/C/CYP/CO/23-24, para. 20 (c), UNHCR submission for the universal periodic review of Cyprus, p. 4.
- ⁶⁴ For relevant recommendations, see A/HRC/26/14, para. 114.99.
- ⁶⁵ E/C.12/CYP/CO/6, paras. 35–36.
- ⁶⁶ *Ibid.*, para. 38.
- ⁶⁷ For relevant recommendations, see A/HRC/26/14, paras. 114.77–114.78.
- ⁶⁸ E/C.12/CYP/CO/6, para. 39.
- ⁶⁹ CRPD/C/CYP/CO/1, para. 51.
- ⁷⁰ CEDAW/C/CYP/CO/8, para. 40 (b).
- ⁷¹ For relevant recommendations, see A/HRC/26/14, para. 114.30.
- ⁷² CEDAW/C/CYP/CO/8, para. 34 (d).
- ⁷³ CERD/C/CYP/CO/23-24, para. 18.
- ⁷⁴ See UNESCO submission for the universal periodic review of Cyprus, para. 11.
- ⁷⁵ E/C.12/CYP/CO/6, para. 42. See also CRPD/C/CYP/CO/1, para. 49, UNESCO submission for the universal periodic review of Cyprus, p. 12.
- ⁷⁶ A/HRC/37/22, para. 55. In the absence of an OHCHR field presence in Cyprus, or of any specific monitoring mechanism, OHCHR relied on a variety of sources with particular knowledge of the human rights situation on the island. The Turkish Cypriot views on the reports on the question of human rights in Cyprus were submitted by the Permanent Mission of Turkey to the United Nations Office and other international organizations in Geneva addressed to OHCHR (A/HRC/28/G/16, A/HRC/31/G/8, A/HRC/34/G/13 and A/HRC/37/G/8).
- ⁷⁷ For relevant recommendations, see A/HRC/26/14, paras. 114.33–114.36, 114.55–114.57, 114.59 and 114.74.
- ⁷⁸ CEDAW/C/CYP/CO/8, para. 31 (a). See also CCPR/C/CYP/CO/4, para. 8.
- ⁷⁹ E/C.12/CYP/CO/6, para. 18 (a)–(b).
- ⁸⁰ *Ibid.*, paras. 31–32. See also CAT/C/CYP/CO/4, para. 9 (a) and (b), CCPR/C/CYP/CO/4, para. 16, CEDAW/C/CYP/CO/8, paras. 26 (c) and (d) and 27 (e).
- ⁸¹ For relevant recommendations, see A/HRC/26/14, para. 114.71.
- ⁸² CCPR/C/CYP/CO/4, para. 20. See also CAT/OP/CYP/1, para. 37.
- ⁸³ CAT/OP/CYP/1, paras. 68 and 70.
- ⁸⁴ For relevant recommendations, see A/HRC/26/14, paras. 114.79–114.82.
- ⁸⁵ CRPD/C/CYP/CO/1, para. 28.
- ⁸⁶ *Ibid.*, para. 40.
- ⁸⁷ *Ibid.*, para. 53.
- ⁸⁸ *Ibid.*, para. 55.
- ⁸⁹ For relevant recommendations, see A/HRC/26/14, paras. 114.44–114.45.
- ⁹⁰ CCPR/C/CYP/CO/4, para. 23.
- ⁹¹ A/HRC/34/56/Add.1, para. 34.
- ⁹² For relevant recommendations, see A/HRC/26/14, paras. 114.53, 114.83–114.92 and 114.101–114.104.
- ⁹³ UNHCR submission, p. 5.
- ⁹⁴ *Ibid.*, p. 4.
- ⁹⁵ CAT/C/CYP/CO/4, para. 11 (a).
- ⁹⁶ CRC/C/OPAC/CYP/CO/1, para. 30 (a).
- ⁹⁷ CAT/C/CYP/CO/4, para. 16.
- ⁹⁸ E/C.12/CYP/CO/6, para. 16 (f). See also CCPR/C/CYP/CO/4, para. 14.
- ⁹⁹ CAT/OP/CYP/1, para. 56.
- ¹⁰⁰ *Ibid.*, para. 60.
- ¹⁰¹ CAT/C/CYP/CO/4, para. 14. See also CCPR/C/CYP/CO/4, para. 14 (c).
- ¹⁰² CAT/OP/CYP/1, para. 52.
- ¹⁰³ E/C.12/CYP/CO/6, para. 16 (a)–(b); and CAT/OP/CYP/1, para. 54. See also CERD/C/CYP/CO/23-24, para. 21 (a), CEDAW/C/CYP/CO/8, para. 12 (c), UNHCR submission for the universal periodic review of Cyprus, p. 3.
- ¹⁰⁴ UNHCR submission, p. 5.
- ¹⁰⁵ CEDAW/C/CYP/CO/8, para. 33 (a).
- ¹⁰⁶ A/HRC/37/22, para. 5.
- ¹⁰⁷ *Ibid.*, para. 44.
- ¹⁰⁸ *Ibid.*, para. 43.
- ¹⁰⁹ E/C.12/CYP/CO/6, para. 43.
- ¹¹⁰ A/HRC/34/56/Add.1, paras. 54 and 56.
- ¹¹¹ *Ibid.*, para. 43.

¹¹² Ibid., para. 84.

¹¹³ Ibid., para. 46.

¹¹⁴ A/HRC/37/22, para. 13.

¹¹⁵ Ibid., para. 36.

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Summary of Stakeholders' submissions on Cyprus***Report of the Office of the United Nations High Commissioner for Human Rights****I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 12 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders**A. Scope of international obligations and cooperation with international human rights mechanisms and bodies²**

2. The Organization for Defending Victims of Violence (ODVV) called on Cyprus to consider ratifying the international human rights instruments not yet ratified, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).³

3. JS2 recommended that Cyprus immediately ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).⁴

4. JS1 and JS3 recommended that Cyprus accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.⁵

5. The International Campaign to Abolish Nuclear Weapons (ICAN) recommended that Cyprus sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons.⁶

* The present document was not edited before being sent to United Nations translation services.



B. National human rights framework⁷

6. OS1 stated that with regard to the 2nd cycle UPR recommendations 114.16 – 114.20, regarding a national human rights institution in compliance with the Paris Principles, very limited action had been taken.⁸
7. The Council of Europe Committee of Ministers (CoE-CM) recommended that Cyprus enhance the political and financial support to the Ombudsman Office to enable it to fulfil its multiple functions effectively and in full independence.⁹
8. Alliance Defending Freedom (ADF International) noted that the 1960 Constitution of the Republic of Cyprus contained no specific provisions expressly protecting the right to participate in cultural life.¹⁰
9. The European Commission against Racism and Intolerance of the Council of Europe (ECRI) noted that the criminal law did not provide for aggravating circumstances in cases of homophobic motivation and equal treatment legislation did not cover the ground of gender identity. It recommended that Cyprus include gender identity as a prohibited discrimination ground in its equal treatment legislation.¹¹
10. ADF International recommended that Cyprus recognize and respect the right to conscientious objection of medical professionals in law and practice, especially with regard to life-ending medical procedures.¹²
11. OS2 recommended that the Government strengthen the national machinery for women's rights with financial and human resources with expertise in gender equality and women's rights.¹³

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination¹⁴

12. The Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities (CoE-ACFC) found that the continued fixation on classifying citizens into either Greek Cypriots or Turkish Cypriots in all spheres of life, even when not related to the exercise of political rights and when not strictly called for by the Constitution, contradicted the existing diversity in Cypriot society and, moreover, appeared to create practical difficulties. It feared that the continued division of society along ethnic lines may encourage ethno-centric sentiments that are not conducive to the formation of a cohesive society.¹⁵
13. OS1 noted that racial stereotyping, discriminatory attitudes, hate speech and hate crimes were still strongly prevalent in all areas of public life. It recommended that Cyprus adopt a comprehensive strategy and plan to combat these issues, and ensure enforcement of legislation related to hate speech and hate crimes.¹⁶
14. OS1 noted that racist statements in the public sphere continued to be a common phenomenon. Migrants, particularly Muslims, were frequently presented in the media in a negative light and associated with problems such as rising unemployment and criminality. It noted that there has also been a rise in racist violence against migrants. It also noted that concern had been expressed about racially motivated attacks against Turkish Cypriots.¹⁷
15. ECRI recommended that Cyprus define in law and prohibit racial profiling by the police, as well as provide further human rights training for them.¹⁸
16. ECRI recommended that gender identity be included as a prohibited discrimination ground in equal treatment legislation, and that Cyprus adopt an action plan to combat homophobia and transphobia in all areas of everyday life.¹⁹
17. ECRI recommended that a comprehensive strategy for the inclusion of Roma be developed in all areas of life, including measures aimed at eliminating discrimination and

prejudice, with goals and targets, success indicators and a monitoring and evaluation system.²⁰

18. The CoE (CoE) noted that the Council of Europe Commissioner for Human Rights (CoE-Commissioner) invited Cyprus to invest more in the social cohesion and integration of migrants by enhancing, in particular, their access to education, employment, health services and political participation. He highlighted the importance, in this context, of effectively fighting and sanctioning hate speech and other forms of hate crime targeting migrants.²¹

19. JSI stated that integration of migrants and persons under international protection remained a serious challenge due to the lack of a national integration policy, as well as limited and ineffective programmes to facilitate integration. It identified fast track Greek language training, vocational training, recognition of previous studies and qualifications, affordable housing, access to long-term residence, supporting family reunification, and facilitated naturalization as in need of further strengthening and development.²²

20. ODVV called on Cyprus to adopt effective measures to combat any form of racism and discrimination discriminatory attitudes against migrants and minorities. It also called on Cyprus to invest more in social cohesion and integration of migrants by enhancing their access to education, employment, health services and political participation.²³

2. Civil and political rights

Right to life, liberty and security of person²⁴

21. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), following its 2017 periodic visit to Cyprus, stated that persons detained by the police, and particularly foreign nationals, still ran a risk of being physically and/or psychologically ill-treated, notably at the moment of apprehension, during questioning and in the context of removal operations. It recommended that proactive measures be taken to ensure that all methods of police investigation are lawful. It recommended that practical professional training be regularly provided and electronic recording of police interviews be introduced.²⁵

22. CPT reiterated its call upon Cyprus to ensure that access to a lawyer is effectively guaranteed from the very outset of deprivation of liberty by the police, including during any police questioning, and recommended that the legal aid system be extended. It also recommended specific improvements as regards the right to notify a third party and the right of access to a doctor and concerning custody records.²⁶

23. CPT called upon Cyprus to end the current practices of detaining persons in police custody for prolonged periods.²⁷

24. CPT noted that overcrowding in Nicosia Central Prisons remained a persistent problem. It reiterated its call to reduce the number of remand prisoners and lengthy periods of pre-trial detention and to implement alternatives to custody. It noted that there were allegations of staff physically and verbally abusing prisoners, threatening them with reprisals for making complaints. It recommended that the dispensing and administering of medication only be undertaken by qualified doctors or nurses and that procedures to ensure medical confidentiality be developed. It furthermore noted the lack of recording of use of isolation.²⁸

25. CPT called upon the Cypriot authorities to prioritise, without further delay, the building of a new Mental Health Centre, and noted that the material conditions at Athalassa Psychiatric Hospital (and particularly at the closed male wards) remained substantially below standard and required complete refurbishment. CPT also recommended that the use of restraint be explicitly regulated by law.²⁹

26. CPT recommended that the Cypriot authorities put in place a clear and comprehensive legal framework governing involuntary placement and stay of residents in social care homes (including the imposition of restrictions amounting to de facto deprivation of liberty). It noted that social care home staff should benefit from regular professional training, and that social care homes should be regularly visited by bodies that

are independent of the Social Welfare Services. It also stated that residents should be informed of their right to lodge formal complaints, on a confidential basis, with clearly designated outside bodies.³⁰

27. The CoE noted that the CoE-Commissioner had expressed his concern about the widespread use of lengthy detention for failed asylum seekers and other migrants and the practice of re-arresting and re-detaining them and had urged the Cypriot authorities to end the practice of detaining migrants, including asylum seekers, for whom there is no reasonable prospect of deportation.³¹

28. JSI noted that there was a lack of consistency in the legal basis upon which asylum seekers and migrants were detained and that the majority of persons, including asylum seekers, were detained under provisions of the law that were excluded from access to legal aid and did not carry a maximum time limit of detention, leading to indefinite detention.³²

29. JSI stated that the termination of the fast track examination of asylum claims of detainees, as well as the lack of alternatives to detention had led to an increase in the number of detainees in the detention centre in Menoyia. This had led to the re-opening of a wing, as well as persons being detained in holding cells around the country, a practice which had ceased. It stated that based on international standards the holding cells were not appropriate for long term stays.³³

30. JSI recommended that Cyprus implement in practice, and give priority to, alternatives to detention and ensure that detention is used as a last resort, for the least time possible.³⁴

Administration of justice, including impunity, and the rule of law³⁵

31. CPT stated that the investigations carried out by the Independent Authority for the Investigation of Allegations and Complaints against the Police were ineffective. It stated that improvements to the system of investigations into allegations of ill-treatment by police officers were urgently required.³⁶

32. ECRI strongly recommended that the police are clearly instructed to record any racist motivation behind all offences involving violence as well as in relation to any ordinary offence and to investigate these elements thoroughly.³⁷

Fundamental freedoms and the right to participate in public and political life³⁸

33. The Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) noted that it deployed an Election Assessment Mission to observe the presidential election on 28 January and 4 February 2018. It noted that the election was held in a competitive and pluralistic environment characterized by respect for human rights and fundamental freedoms. Certain aspects of the electoral process, such as campaign provisions, dispute resolution and the rights of observers, remained under-regulated. It recommended that consideration be given to conduct a comprehensive review of the electoral legal framework well in advance of the next elections to further harmonize, clarify and update respective laws.³⁹

34. It noted that several aspects of campaign finance remained under-regulated, including limits on donations to candidates and the method for valuing in-kind donations. It recommended that consideration be given to amending the legal framework to further define campaign contributions, including in-kind, and the method of their valuation, setting reasonable limits on the amount, source and type of contribution. It stated that the oversight and monitoring functions regarding campaign finance should be clarified and the level of enforcement enhanced.⁴⁰

Prohibition of all forms of slavery⁴¹

35. The CoE noted that the CoE-Commissioner had invited Cyprus to continue the supervision of private employment agencies, to improve the identification of trafficked people and to provide more adequate accommodation and social aid to these persons.⁴²

36. JS2 mentioned that trafficking in women for the purpose of labour exploitation and particularly domestic work was an issue of major concern. It stated that migrant domestic workers mostly lived in the private households of their employers and that many reported physical, psychological and sexual abuse and exploitative work conditions. They were often overworked and underpaid, had their personal documents such as passports and travel documents confiscated, reported restrictions in freedom of movement, and had their pay withheld in order to pay off "debts" related to their recruitment and transportation.⁴³

37. JS2 also stated that labour inspectors were not able to inspect the working conditions of domestic workers. It stated that private employment agencies, most often used by employers to employ domestic workers, were not regulated and were reportedly involved in trafficking networks.⁴⁴

38. JS2 stated that front-line officers (entry points) should receive better training on trafficking in persons so they could be proactive in recognising and dealing appropriately with victims.⁴⁵

Right to privacy and family life

39. ECRI recommended that Cyprus consider amending the Refugee Law to provide for the possibility of family reunification for those granted subsidiary protection, in order to enhance their integration.⁴⁶

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work⁴⁷

40. The European Organisation of Military Organisations (EUROMIL) noted that no working time regulations applied to members of the Cypriot armed forces.⁴⁸

41. JS1 noted that asylum-seekers can only work after a six-month waiting period from the lodging of their asylum application and only in certain unskilled jobs, mainly agriculture and farming, regardless of their academic qualifications or professional experience. It stated that this type of employment was typically at the lower end of the pay scale and often required constant separation from family members as it was usually in remote areas. It recommended that Cyprus reduce the period of prohibition of access to the labour market and expand the economic sectors where asylum-seekers are permitted to work.⁴⁹

42. JS1 noted that while the national minimum wage was over €800 per month, asylum seekers were sent to jobs with pay as low as €200 per month. In cases where employers did not pay at all, there was no procedure to force compliance with basic labour practices.⁵⁰

Right to social security⁵¹

43. ECRI noted that changes to the Refugee Reception Conditions Regulations established a general system of payment in kind to replace direct financial aid or welfare support for asylum seekers. It stated that as a result, all asylum seekers in need of state assistance, both newly arrived and those who have so far been living in private housing and in receipt of welfare support, with some exceptions for vulnerable persons, were required to live in the only reception centre in the country, located in the remote area of Kofinou.⁵²

44. JS1 stated that asylum-seekers were excluded from the national guaranteed minimum income scheme and were instead provided with a special 'material reception assistance' by means of vouchers and a small cash allowance in cheques to be used for utilities and other expenses. The level of assistance provided was below the national risk-of-poverty threshold.⁵³

45. JS1 stated that there were significant problems with the voucher system. The vouchers could be used only in a few designated small shops in each town, where a number of essential items were not available. Prices in these shops were apparently much higher than the larger supermarkets. Furthermore, asylum-seekers received their vouchers with significant delays, often only a few days before their expiry. Asylum-seekers also needed to make numerous visits to the welfare services office, often on foot, to receive their vouchers.

Every month there were a number of asylum seekers who did not receive vouchers at all. In such cases, there was no compensation even when the Social Welfare office was found to be at fault. There were particular societal sensitivities to shopping with vouchers that led to the stigmatization of asylum-seekers, subjecting them to further prejudice and discrimination.⁵⁴

46. JS1 stated that the small cash allowance was given to asylum seekers in cheques, and that often asylum seekers could not open bank accounts. As a result, they could neither deposit nor cash these cheques. It stated that there was only one shop in Cyprus that would change the government cheques for cash. Asylum seekers from all over the country travelled to the shop every month to be able to cash their cheques. It stated that cheques could be delayed by 2-3 months and that some months they did not arrive at all.⁵⁵

47. JS1 recommended that Cyprus increase the level of subsistence assistance for asylum-seekers, provide cash instead of vouchers, and remove the cap on the assistance provided to families to ensure a dignified standard of living.⁵⁶

Right to an adequate standard of living⁵⁷

48. The CoE mentioned that the CoE-Commissioner had called on Cyprus to improve the implementation of the Guaranteed Minimum Income scheme. He had stressed the need for a thorough human rights impact assessment of budgetary restrictions, making sure that these cuts do not adversely affect access to vital sectors of life, such as education, employment and health care. He had also called on Cyprus to take more effective measures to reverse the worrying increase in child poverty.⁵⁸

49. ECRI stated that the policy of constructing prefabricated housing units for Roma in isolated areas promoted a practice of de facto segregation.⁵⁹

50. The European Union Agency for Fundamental Rights (EU-FRA) noted that in 2016 Roma families residing in abandoned Turkish Cypriot houses in Limassol were served with eviction orders. It noted that the evictions were to a large extent averted through the combined efforts of the school attended by the Roma children, the Ombudsman and the Commissioner for Children's Rights.⁶⁰

51. JS1 stated that the inadequacy of the rental allowance forced asylum-seekers, including families with young children, to find shelter in unsuitable premises, often without electricity and water and thereby exposing themselves to serious health risks. Irregularity of rent payments and delays led to evictions and a growing problem of homelessness. It recommended that Cyprus process applications for social assistance swiftly in order to prevent instances of destitution and homelessness, and ensure emergency accommodation to all asylum-seekers in need, who would otherwise be forced to live in substandard conditions or would be homeless.⁶¹

Right to health⁶²

52. JS2 mentioned that HIV care and treatment in Cyprus was provided by only one facility, the Gregorios clinic in Larnaca, and noted that this was a barrier for access to HIV care and treatment.⁶³

53. EU-FRA noted that a standard fee of €10 was charged to all those accessing emergency healthcare, including migrants in an irregular situation.⁶⁴

54. JS1 mentioned that public health care was often inaccessible in practice to children of an irregular status, with the exception of emergency care. It noted that there was no access to health care for undocumented adults, including non-removable persons who had been in the country for many years.⁶⁵

Right to education⁶⁶

55. ECRI stated that school enrolment and attendance among Roma children was low, and drop-out rates, especially in the transition between primary and secondary school, were high. There were disproportionate numbers of Roma in certain schools. It recommended that steps be taken to ensure the compulsory school attendance of all Roma children.⁶⁷

56. The CoE-CM recommended that Cyprus introduce more intercultural elements into the education system and ensure that teachers and school administrators are adequately trained to promote exchange and dialogue across ethnic and linguistic lines, including through the promotion of bilingualism and linguistic diversity.⁶⁸

57. It recommended that Cyprus enhance the equality of Roma children in the education system, including by making suitable learning materials available and by promoting respect and openness towards diversity among all students.⁶⁹

58. It also recommended that Cyprus provide adequate opportunities for teacher training, in particular regarding language learning methodologies and teaching methods in multilingual environments, and suitable education materials to minority language schools and enhance the opportunities of all students to learn the official languages of Cyprus.⁷⁰

4. Rights of specific persons or groups

*Women*⁷¹

59. JS2 stated that lawyers, prosecutors and judges lacked the necessary training and knowledge on violence against women, the needs and rights of victims, and the legal framework on violence against women in Cyprus. Legal sanctions against perpetrators were inadequate, particularly in cases of rape, and did not reflect the seriousness of the crime. There was no data available on women's access to protection orders and other protection measures.⁷²

60. JS2 stated that although free legal aid was available in Cyprus, the process for accessing this aid was time-consuming and not facilitated by the Government service. Women were often faced with court delays, as well as stereotypical attitudes by prosecutors and the judiciary. A high number of reported domestic violence cases never reached the court and were either suspended or dropped. It stated that penalties imposed on the perpetrators were minimal and non-deterrent.⁷³

61. JS2 noted that specialized services for victims of all forms of violence against women were lacking. The burden for the provision of specialised support services to victims of violence as well as for securing the financial resources to ensure that such services were sustainable fell to non-governmental organisations and volunteer organisations.⁷⁴

62. JS2 stated that front line professionals (police, social welfare services, and health services) often lacked the ability (human resources, lack of direction from senior government officials) to offer adequate support and protection due to lack of systematic specialised training.⁷⁵

63. JS2 noted that women were underrepresented in decision-making positions in all sectors, including those in which employees are predominantly female (such as education and health). Women were also underrepresented on the boards of listed companies, management positions within public administration, and in trade unions representations of all sectors and levels.⁷⁶

64. JS2 stated that the Government, as well as political parties, have failed to promote and implement positive action measures such as quotas, even on a temporary basis to accelerate de facto equality between women and men. It recommended that the Government consider introducing legislative measures for the introduction of positive action measures for the advancement of de facto gender equality in Cyprus.⁷⁷

65. JS2 noted that as a consequence of gender segregation in subject choices in education, gender segregation was well entrenched in the Cypriot labour market.⁷⁸

66. JS2 noted that measures to reconcile work and family life were insufficient and services for childcare and care of other dependents were costly and non-accessible.⁷⁹

67. JS2 recommended that Cyprus ensure women's access to information about contraception and family planning as well as access to good quality contraception methods and family planning goods and services. It also recommended that Cyprus ensure reproductive health care services, goods and facilities that are available in adequate

numbers, accessible physically and economically, accessible without discrimination, and of good quality.⁸⁰

Children⁸¹

68. JS2 noted that the National Strategy for the Children's Rights in Health (2017 – 2025) lacked specific indicators, an appropriate monitoring and evaluation system for its implementation, timelines and dedicated budgets.⁸²

69. EU-FRA noted that the percentage of children at risk of poverty or social exclusion increased by around 4 percentage points between 2014 and 2015.⁸³

Persons with disabilities⁸⁴

70. ODVV called on Cyprus to ensure an adequate standard of living, including access to disability support schemes and allowances in law and in practice, for all non-nationals with disabilities residing in the country on an equal basis with Cypriot citizens.⁸⁵

Minorities and indigenous peoples⁸⁶

71. The CoE-CM recommended that Cyprus enhance the available support for the promotion of minority languages and identities as an integral part of modern Cypriot society rather than primarily as elements of cultural heritage and ensure that the views and concerns of all minority communities, including the Roma, are adequately established through dialogue and taken into account in all relevant decision making.⁸⁷

72. CoE-CM also recommended that Cyprus increase the availability of public television and radio broadcasting featuring minority languages and cultures and raise the capacity of journalists and media professionals to ensure that the specific situation and concerns of minorities are adequately reflected.⁸⁸

Migrants, refugees, asylum seekers and internally displaced persons⁸⁹

73. The CoE mentioned that the CoE-Commissioner, whilst welcoming some positive developments, such as the increase of refugee status recognition rates and the end of the practice of detaining Syrian asylum seekers, had recommended remedying the long-standing problems of the asylum system, including lengthy procedures, limited access to legal aid and the risk of deportation before the final determination of asylum claims.⁹⁰

74. JS1 noted that information on asylum procedures was extremely limited, often outdated or not available in languages that applicants comprehended. It recommended that Cyprus provide consistently up-to-date information on all aspects of the asylum procedure and ensure effective advice and counselling.⁹¹

75. JS1 noted that there was no free legal support or representation at first instance examination of asylum applications. Legal aid was offered by the state only at the judicial examination of the asylum application before the Administrative Court. However, the success rate of legal aid applications was extremely low. It also noted that there was a large backlog of unprocessed asylum applications at both first and second instance. It recommended that Cyprus ensure access to free legal assistance at first instance and effective access to legal aid and representation during the judicial examination, and ensure timely examination of asylum applications and all instances.⁹²

76. The CoE mentioned that the CoE-Commissioner had called on Cyprus to improve the identification procedure of particularly vulnerable migrants, such as unaccompanied children, adopt a multidisciplinary approach to determining the age of migrants, ease family reunification rules and improve the reception system for asylum seekers with families and children.⁹³

77. JS1 recommended that Cyprus create and implement an effective mechanism for the identification and assessment of vulnerable persons, define roles and content of special reception and procedural needs, and build up capacity among staff engaging with vulnerable person at all stages of the procedure.⁹⁴

78. JS2 noted that migrant women often did not have access to services or lacked adequate specialised support due to cultural, economic and other barriers. It was essential to ensure that migrant women had access to information and culturally sensitive victim support services.⁹⁵

79. JS1 noted that the only state reception center for asylum seekers was located in a remote area of the village of Kofinou, away from services and local amenities and with limited transport links. It stated that the increasingly deteriorating conditions at the centre had led to unusable and unsafe kitchens and bathrooms and an overflowing sewage system. It mentioned that primary applicants who were residents at Kofinou received a monthly allowance of €40 and €10 for each dependent. Residents were unable to meet basic needs, such as access to sanitary/hygiene materials, clothing (especially for school-age children), and school materials, without assistance of donations. The location, layout and infrastructure of Kofinou Reception Centre was not conducive to effectively protecting vulnerable persons with specific needs, placing residents at an increased risk of sexual and gender based violence. The limited social services and psychosocial counselling had impeded the transition of the residents to the community, including upon the grant of protection status.⁹⁶

80. The CoE mentioned that the CoE-Commissioner had sent a letter on 26 October 2016 to the Attorney General of Cyprus, concerning the protection of the human rights of unaccompanied migrant children. The Commissioner noted that guardianship and legal representation of unaccompanied migrant children was provided by the Social Welfare Services, which lacked the necessary expertise for providing proper legal advice. Legal assistance in these cases was requested from the Attorney General's Office, which, as the sole legal adviser of all government departments, also represented state services in court. The Commissioner stressed that this practice raised serious issues of independence and impartiality of legal assistance and representation, especially in cases where unaccompanied migrant children sought judicial review of decisions issued by state services such as the Asylum Service or the Refugee Reviewing Authority. The Commissioner welcomed the fact that there was also a possibility for these children to be represented before courts by the Commissioner for Children's Rights. However, the involvement of the Commissioner for Children's Rights in the legal representation of unaccompanied migrant children concerned only court proceedings, excluding non-judicial asylum proceedings. In addition, the decision whether or not to involve the Commissioner for Children's Rights in the representation of unaccompanied migrant children before courts was taken by the Social Welfare Services who retained a general discretionary power.⁹⁷

81. EU-FRA noted that it had repeatedly highlighted the importance of forced return monitoring, but that by the end of 2017, Cyprus had no operational monitoring system in place.⁹⁸

Stateless persons

82. The CoE mentioned that the CoE-Commissioner had called on Cyprus to prevent statelessness and improve migrants' access to citizenship.⁹⁹

83. JS3 stated that Cyprus should implement a dedicated statelessness determination procedure.¹⁰⁰

5. Specific regions or territories

84. JS3 stated that for people living on the northern part of the island, including Cypriot nationals, Cyprus did not investigate and/or report on human rights violations.¹⁰¹

85. ADF International recommended that Cyprus take steps to ensure the preservation of the cultural and religious heritage in the northern part of the island, and undertake effective steps to fully ensure all political, economic, social and cultural rights of its inhabitants. It also recommended that Cyprus ensure the preservation of the cultural and religious heritage, investigate cases of destruction of cultural property and bring perpetrators to justice.¹⁰²

86. JS3 noted that a large group of children of Cypriot parents living in the north are denied their right to Cypriot nationality based on ethnicity. Only children who are of 100% Cypriot descent could acquire Cypriot nationality easily. It noted that children of one Turkish parent and one "original Cypriot" parent were denied Cypriot nationality upon application. Grandchildren who had one Turkish grandparent and three Cypriot grandparents could also not acquire Cypriot nationality. It stated that these people who apply for Cypriot nationality were not "denied" by the ministry of interior, their applications were simply "pending", some for 14 years. It stated that for some children in the northern part of the island there was a risk of statelessness.¹⁰³

87. JS3 stated that people living in the north were excluded from free healthcare, including people in the possession of a Cypriot passport. Moreover, reports on healthcare in Cyprus only provided data about health care in the southern part of the island.¹⁰⁴

88. JS3 stated that people living on the northern part of the island, including those who have Cypriot nationality, were not allowed to vote or otherwise politically participate in the Government of Cyprus.¹⁰⁵

89. JS3 stated that anyone who is on the northern part of the island and who does not have a European identity document or visa, or a passport from certain allowed countries, could not cross to the southern part of the island. It stated that they would be stopped at the checkpoints by the Cypriot police. It noted that this included people who were born and raised on the northern part of the island, but also international students who were studying at northern universities and tourists from non-EU countries. An exception was made for children who have one parent who is a Cypriot national (who otherwise cannot acquire Cypriot nationality themselves), or people who are married to a Cypriot national. These people were allowed to cross. However, they were not allowed to travel from the southern part of the island to other countries.¹⁰⁶

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	Alliance Defending Freedom, Geneva (Switzerland);
AMFWV	Association of Martyr's Families and War Veterans;
CTCI	Cyprus Turkish Chamber of Industry;
EUROMIL	European Organisation of Military Organisations (Belgium);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
ODVV	Organization for Defending Victims of Violence (Islamic Republic of Iran).

Joint submissions:

JS1	Joint submission 1 submitted by: Cyprus Refugee Council, Mediterranean Institute of Gender Studies, CARITAS Cyprus, ACCEPT LGBT Cyprus;
JS2	Joint submission 2 submitted by: Cyprus Women's Lobby, Cyprus Refugee Council, CARITAS Cyprus, Association for the Prevention and Handling of Violence in the Family (SPAVO), Cyprus Family Planning Association (CFPA), Hands Across the Divide (HAD), Mediterranean Institute of Gender Studies (MIGS), Socialist Women's Movement, Women of Europe – AIPFE, Women's Movement Protoporia, Business and Professional Women Cyprus (BPWC), Cyprus Gender Equality Observatory (PIK);
JS3	Joint submission 3 submitted by: Institute on Statelessness and Inclusion, Eindhoven (the Netherlands), Maastricht University, Maastricht (the Netherlands).

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France);
	Attachments:
	CoE-ACFC – Advisory Committee on the

Framework Convention for the Protection of National Minorities, Fourth Opinion on Cyprus, March 2015 (ACFC/OP/IV(2015)001);
CoE-CM – Committee of Ministers, Resolution CM/ResCMN(2016)8 on the implementation of the Framework Convention for the Protection of National Minorities by Cyprus, May 2016;
CPT – European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Executive Summary of the 2017 periodic visit report (CPT/Inf (2018) 16 – Part);
ECRI – European Commission against Racism and Intolerance, ECRI Report on Cyprus (fifth monitoring cycle), June 2016.

EU-FRA
 OSCE-ODIHR

European Union Agency for Fundamental Rights (Austria);
 Organization for Security and Cooperation in Europe/Office of Democratic Institutions and Human Rights (Poland).

- ² For relevant recommendations see A/HRC/26/14, paras. 114.1-114.15 and 114.58.
- ³ ODVV, para. 12.
- ⁴ JS2, p. 9.
- ⁵ JS1, p. 14, JS3, para. 45.
- ⁶ ICAN, p. 1.
- ⁷ For relevant recommendations see A/HRC/26/14, paras. 114.16-114.24 and 114.54.
- ⁸ JS1, pp. 13-14.
- ⁹ CM/ResCMN(2016)8, p. 2.
- ¹⁰ ADF International, para. 24.
- ¹¹ ECRI, pp. 9-10.
- ¹² ADF International, para. 26 (b).
- ¹³ JS2, p. 3.
- ¹⁴ For relevant recommendations see A/HRC/26/14, paras. 114.25-114.29, 114.31-114.32, 114.40-114.43, 114.46-114.50, 114.75-114.76 and 114.105.
- ¹⁵ CoE-ACFC, paras. 13-14.
- ¹⁶ JS1, p. 16.
- ¹⁷ ECRI, p. 9 and para.39. See also AMFWV, p.7, CTCL, p. 2.
- ¹⁸ Ibid, p. 10.
- ¹⁹ Ibid, pp. 9-10.
- ²⁰ Ibid, p. 10.
- ²¹ CoE, p. 3.
- ²² JS1, p. 12.
- ²³ ODVV, paras. 11 and 16.
- ²⁴ For relevant recommendations see A/HRC/26/14, paras. 114.51-114.52.
- ²⁵ CPT, p. 1.
- ²⁶ Ibid.
- ²⁷ Ibid, p. 2.
- ²⁸ Ibid, pp. 2-3.
- ²⁹ Ibid, pp. 3-4.
- ³⁰ Ibid, p. 4.
- ³¹ CoE, p. 3.
- ³² JS1, p. 6.
- ³³ Ibid.
- ³⁴ Ibid, pp. 7-8.
- ³⁵ For relevant recommendations see A/HRC/26/14, para. 114.94.
- ³⁶ CPT, p. 1.
- ³⁷ ECRI, para. 43.
- ³⁸ For relevant recommendations see A/HRC/26/14, paras. 114.72-114.73.
- ³⁹ OSCE/ODIHR, p. 2.
- ⁴⁰ Ibid.
- ⁴¹ For relevant recommendations see A/HRC/26/14, paras. 114.60-114.70 and 114.93.
- ⁴² CoE, p. 3.
- ⁴³ JS2 p. 8.
- ⁴⁴ Ibid.
- ⁴⁵ Ibid, p. 6.

- ⁴⁶ ECRI, p. 10. See also JS1, p. 13.
- ⁴⁷ For relevant recommendations see A/HRC/26/14, paras. 114.37-114.39 and 114.95-114.98.
- ⁴⁸ EUROMIL, pp. 1-2.
- ⁴⁹ JS1, pp. 9 and 11.
- ⁵⁰ Ibid, p. 10.
- ⁵¹ For relevant recommendations see A/HRC/26/14, para. 114.100.
- ⁵² ECRI, para. 101.
- ⁵³ JS1, p. 10.
- ⁵⁴ Ibid.
- ⁵⁵ Ibid.
- ⁵⁶ Ibid, p. 11.
- ⁵⁷ For relevant recommendations see A/HRC/26/14, para. 114.99.
- ⁵⁸ CoE, pp. 3-4.
- ⁵⁹ ECRI, p. 9.
- ⁶⁰ EU-FRA, pp. 5-6.
- ⁶¹ JS1, p. 11.
- ⁶² For relevant recommendations see A/HRC/26/14, paras. 114.77-114.78.
- ⁶³ JS2, p. 10.
- ⁶⁴ EU-FRA, p. 8.
- ⁶⁵ JS1, pp. 16-17.
- ⁶⁶ For relevant recommendations see A/HRC/26/14, para. 114.30.
- ⁶⁷ ECRI, pp. 9-10.
- ⁶⁸ CM/ResCMN(2016)8, p. 2.
- ⁶⁹ Ibid.
- ⁷⁰ Ibid.
- ⁷¹ For relevant recommendations see A/HRC/26/14, paras. 114.33-114.36, 114.55-114.57, 114.59 and 114.74.
- ⁷² JS2, p. 1.
- ⁷³ Ibid.
- ⁷⁴ Ibid, pp. 1-2.
- ⁷⁵ Ibid, p. 1.
- ⁷⁶ Ibid, p. 4.
- ⁷⁷ Ibid, p. 6.
- ⁷⁸ Ibid, p. 4.
- ⁷⁹ Ibid, p. 5.
- ⁸⁰ Ibid, p. 9.
- ⁸¹ For relevant recommendations see A/HRC/26/14, para. 114.71.
- ⁸² JS2, p. 9.
- ⁸³ EU-FRA, p. 6.
- ⁸⁴ For relevant recommendations see A/HRC/26/14, paras. 114.79-114.82.
- ⁸⁵ ODVV, para. 13.
- ⁸⁶ For relevant recommendations see A/HRC/26/14, paras. 114.44-114.45.
- ⁸⁷ CM/ResCMN(2016)8, p. 1.
- ⁸⁸ Ibid, p. 2.
- ⁸⁹ For relevant recommendations see A/HRC/26/14, paras. 114.53, 114.83-114.92 and 114.101-114.104.
- ⁹⁰ CoE, p. 3.
- ⁹¹ JS1, pp. 3 and 5.
- ⁹² Ibid.
- ⁹³ CoE, p. 3.
- ⁹⁴ JS1, p. 5.
- ⁹⁵ JS2, p. 2.
- ⁹⁶ JS1, pp. 8-9.
- ⁹⁷ CoE, pp. 2-3. See also JS1, p. 4.
- ⁹⁸ EU-FRA, p. 4.
- ⁹⁹ CoE, p. 3.
- ¹⁰⁰ JS3, paras. 43 and 45.
- ¹⁰¹ Ibid, para. 41.
- ¹⁰² ADF International, para. 26 (d) and (e).
- ¹⁰³ JS3, paras. 22-24.
- ¹⁰⁴ Ibid, para. 37.
- ¹⁰⁵ Ibid, para. 38.
- ¹⁰⁶ Ibid, paras. 39-40.